

# VARIETY

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64 PAGES

## COHEN OUT, LUBITSCH IN

**Getting \$22,000 a Week, but 'Juliet' Not Likely to Make Any Profit**

Katharine Cornell's 'Romeo and Juliet' presentation at the Martin Beck theatre, N. Y., is the most unusual in the annals of the Shakespearean classic, not in point of run's length, but financially. Despite exceptional weekly grosses the attraction will not comparatively moderate profits, if any, because of its production outlay.

'Juliet' now in its seventh week, has averaged over \$22,000 weekly, which equals or tops any current drama on Broadway. Miss Cornell's first 'Juliet' was on tour last season. That production cost \$53,000 and was entirely scrapped with new settings secured for Broadway at a outlay of \$45,000.

Show there costs \$95,000 prior to coming in. To date the New York production has been earned back, but the management includes the road show's net in its figures and there is still \$25,000 to be balanced on the books before the presentation can show any actual profit despite the out of town grosses.

Engagement has been extended (Continued on page 56)

**Maestro Bernie Has 10,000 Bottles and a Problem on His Hands**

Hollywood, Feb. 4. Suggestions are in order as to what Ben Bernie should do with an inheritance of some 10,000 whiskey bottles, entirely bereft of fire water and plastered with labels bearing his name.

The band is being what it is, the maestro has no urge to branch out. And Christmas being so far off he has scotched the thought of filling them up, to be passed out next December among friends. He might stock a cellar but he won't.

So there it lays until someone comes along with a hotter idea than those preceding it. Bernie came into possession of the lifeless flagons through a legal bout with a likelier outfit that thought it a grand idea to call their new product 'Ben Bernie Whiskey.' It might have been even a better idea to have gotten the bandman's consent to use his name. This little detail was overlooked and the maestro's barrister got busy.

Into Federal court up north marched the offender and the offer compromise was reached. Bernie agreed to call off his \$50,000 damage suit if the importers would call off their product.

So that there could be no slip-up, Bernie also demanded—all the bottles and labels, which was duly complied with.

Therefore and to wit, Bernie is all bottled up.

### Tracked Down

Hollywood, Feb. 4. Paramount is using eight jockeys from the Santa Anita track in the Max West picture, 'How Am I Doing?' Little work done the first day, everybody sounding out the jocks for tips.

### GOV'T MAY BAN AIR GEE-GEETOUTING

Washington, Feb. 4. Signs that U. S. will crack down on the broadcasting of racing dope were seen last week in the implied criticism of WBXX, New York, by Examiner Ralph L. Walker.

Although he recommended that WBXX license be renewed, Walker discussed at length certain programs aired during 1934 under contract with a racing guide, remarking that because of the manner in which the programs were handled the station's operation amounted to point-to-point communication, which is not permitted by holders of broadcast licenses.

(Continued on page 56)

### BAND PAYS CAFE \$750 WEEKLY TO PLAY FRATS

Chicago, Feb. 4. An example of how far a little novelty goes on the air is Kay Kyser's band now playing three weeks of southern college fraternity bookings. This now 'frat circuit' is the most consecutive of such bookings date yet, and was built up strictly on Kyser's midnight plugging of one or another fraternity song via WGN, Chi Trib station.

Kyser finds that it's worth-while for him to pay the Blackhawk cafe management \$750 a week for temporary release to fill the frat dates.

### From School to Strip

Buffalo, Feb. 4. Gayety theatre, former Columbia Pictures house occupied by the Studio School of the Theatre for the past two seasons, is reported leased by Clamage & Irons, of Chicago, and Edward Flanagan, of Cleveland, and will be reopened before March 1 as a burlesque theatre. Studio School likely to remove to Shea's Court Street.

### CHANGE IN PAR STUDIO HEADS

Henry Herzbrun, Par Studio Attorney, Probably V. P. in Charge of Production—Par Reorganization Plan Generally Okayed in N.Y. Federal Court

### ONLY 15 ON BOARD?

Henry Herzbrun and Ernst Lubitsch are the new Paramount studio heads. Both will jointly be in charge of production.

'My relations with Paramount were terminated today,' stated Emanuel Cohen yesterday (Monday). Since the middle of 1932 Cohen has held the title of v. p. in charge of Par production. This is the title Herzbrun, for 15 years the Par studio attorney in Hollywood, will probably assume. He will supervise all Par production business. Lubitsch will be jointly affiliated with him in supervision of actual production work.

Probably going into independent production, the film man observed that it was too early for him to discuss future plans at this moment. He has been with Par since 1927 when, he states, he was 'invited' to assume charge of shorts and new reel production, coming over from Pathe, where he started in 1914.

Cohen's favorite of his relations with the Par organization is said to have been solely a matter between himself and Adolph Zukor, president of Paramount. Cohen flew in from the Coast Sunday, arriving yesterday (Monday) morning, with knowledge en route that he was to leave Par. He has been suggested. This means that two of the 17 mentioned will not sit on the new board. That's open to conjecture and as to which two are is also open.

Coxe's Modifications Modifications which were suggested by Judge Coxe in the Paramount reorganization plan and on which the Paramount board acted yesterday (Monday) will be inserted in the plan, before it is circulated for general creditor and (Continued on page 5)

### Dionne Parents Set for Good-Will USA Tour on Canadian-Gov't Okay

#### Critics' Box Scores

Mid-season Box Score on the New York and Chicago film critics will be found on Page 3. Dramatic critics' score on Page 55.

Chicago, Feb. 4.

After working nine months on the arrangements, Max Halperin finally crashed through a flock of technical and governmental details to gain an exclusive tie-up on Mr. and Mrs. Dionne, parents of the famous Dionne quintuplets. Halperin is now arranging a tour for the parents in the United States.

It will be handled strictly as a good-will arrangement. While he has received offers of beaucoup coin for testimonials and other strictly commercial advertising twists, Halperin has turned them all down to keep theatre and personal appearance tour on the highest possible plane. He got an okay to book the Dionnes from the Canadian government, which has taken supervisory interest in the Dionne family.

Pa and Ma Dionne are due over the border within a week. Their first stage date is the Fox, Detroit, Feb. 15.

### Smith's Anti-Nudist

#### Measure May Involve Theatres, Nite Clubs

Albany, Feb. 4. Sally Rand would have to wear pants if the anti-nudist bill is enacted into law by the New York State Legislature. Wording of the proposal is so broad that almost anything in the line of cover-'em-up could happen.

The bill is backed by Alfred E. Smith and also has the support of the Catholic Legion of Decency. Ostensibly it would bar nudists and their colonies from the state. But a study of its provisions reveals possible far-reaching prohibitions in regard to theatrical or other entertainments.

'The nudists' supporters will storm the state capitol Tuesday (5) for a hearing on the measure before the Assembly Codes Committee. Other interests are reported to be fighting the proposed law. Not only would it dress up the girls in all theatres and nite clubs, but might also make possible the arrest of the management.

### Blind Arranger

San Francisco, Feb. 4. Glennon Hurburt, 27, blind for 20 years, is piano-accompanist with Tom Coakley's orchestra at the Palace hotel here, as well as conductor of the sub-rumba combo. What's more unusual, he's the arranger for this NBC orchestra. He maps and plots all his orchestration mentally and dictates the physical arrangement to an assistant.

### PHONE SUCKERS IN NEW CLIP RACKET

Heads of legitimate stage relief organizations are annoyed over a new form of appeal for coin to support reputedly phone activities. Racket telephone requests for 'subscriptions' are said to have induced a surprising amount of sucker money. Charity people declare such activities hamper them in legitimately raising coin.

Latest phone trick has the appeal saying that a certain group of players plans the production of several plays and offers to sell subscription (Continued on page 63)

### CONVICTED OF MURDER, ASKS MUSICAL FINALE

Cincinnati, Feb. 4.

Barney Rapp and his orchestra from the Hotel Gibson here played a jazz dirge for Louis Kenneth Neu, 38, nite-club entertainer and confessed murderer, who, prior to his hanging in New Orleans Friday (1), had requested his old friend Rapp to play certain selections.

What a Difference a Day Made was the feature of the broadcast program which Rapp announced as being dedicated to a friend of mine in New Orleans, without otherwise identifying the former cabaret m. c. Neu, given special privileges before going to the gallows, was permitted to have a radio in his cell going at all times, and he wired Rapp here for the special Tin Pan Alley farewell.

### BOOTLEG FEAR—IN '35?

Seagram's whiskey contemplates a special bottle neck label using a patented type of paper as a protective stunt against bootleggers and for the exploitation value connected with it. By means of a thumb test purchasers can be certain that the whiskey they're buying is the real McCoy.

Label could not be duplicated by bootleggers.

# Pathe, U and Hearst-Metrotone Reels Continue Hauptmann Shots

Pathe and Universal have no intention of withdrawing their newsreel issues containing dialog shots of Hauptmann on the stand. According to representatives of these reels yesterday (Monday) they will be continued in circulation despite protest made by Attorney General Wilentz who Friday (1) demanded immediate removal of allegedly offending material. Hearst-Metrotone late yesterday (Monday) had made no decision, but was still releasing its shots.

Fox Movietone's three minutes of the trial scenes went to cover immediately Friday night (1), while Paramount followed suit Saturday (2). Both Par and H-M had gotten out 9-minute specials on the trial. Universal released 9 1/2 minutes, Pathe 5 1/2.

The Hearst reel was continued throughout most of Saturday (2) at Loew theatres, being withdrawn late in the day by this chain after Par had given fearful and wired warning at great length, trying to clear its position in the matter, among other things denying there had been any trickery intended, which Fox also denied.

Pathe wired Wilentz simply that it was not recalling its Hauptmann newsreel and that in its opinion there had been no breach of faith. Understanding is that all of the newsreel companies have been abiding considerable effort to stay along in, sound during the trial and were planning to hold most of it back until the big show in Flemington was nearly over. Instead the five companies decided to release it on Friday (1). Additional testimony, including some taken weeks ago when Condon was on the stand, was held back for release later.

Loew to reels withdrawing their material, and to their accounts, which suffer at the box office, is reported to be great. Loew circuit took out the Hearst reel Saturday night and rushed into the market statement, while RKO continued with the Pathe clip in the Greater New York area and elsewhere. It was stated yesterday (Monday) that circuits had agreed they would not bailhoo the Hauptmann newsreel stuff so that it would not cause too much furore and possible repercussions in Flemington, but Loew's went to town on it anyway. RKO theatres played it down in promotion, and mentioned nothing in ads. Pathe pulled its reel out of New Jersey houses as a precaution against action within the state, but sticks to its guns everywhere else.

Flemington, Feb. 4. Judge Trenchard today (Monday) barred all film cameras and promised he would investigate shots taken of the Hauptmann testimony.

Sound pictures, taken in secret, of actual trial scenes in the Hauptmann case, caused Attorney General Wilentz to dispatch telegrams to five motion picture companies: "In the name of the State New Jersey and in the name of decency, it is requested that you order the immediate withdrawal of Hauptmann trial pictures taken during actual trial sessions."

"These sound pictures were procured by trickery and in defiance of the order of the court. You owe a positive duty to co-operate with authorities in the matter and such duty should not be avoided for profit, or for any other reason."

The motion picture apparatus inclosed in a big wooden box was in the gallery of the courtroom. Justice Trenchard allowed a few cameras in the courtroom for the taking of pictures during recess or before court opened. He had been giving the word of "silence" and red photographers that no pictures would be taken while court was in session. Those allowed in to take pictures were supposed to represent several companies, and a pool whereby everyone would get prints of the pictures taken.

It is a simple matter to grind the camera in the rear of the balcony unnoticed during a session.

## JOHNSONS PERSONALING

RKO has set Mr. and Mrs. Martin Johnson for stage appearances with their jungle picture, "Babooona." The Johnsons open Feb. 8 in Rochester for a full week.

## LINE FORMS FOR 12

Warners Take Dozen from Berkeley Ensemble for Bit Parts

Hollywood, Feb. 4.

Warners gave term contract to 12 of Busby Berkeley's line girls from "Gold Diggers," Youngsters, whom the studio feels have screen possibilities, will be used in bits and receive a special course of training.

Group comprises Eleanor Bailey, Fatsy Bellamy, Mary Cassidy, Beatrice Coleman, Virginia Daney, Muriel Gordon, Lucyle Keeling, Lois Lindsay, Marie Marks, Betty McEvoy, Ruth Moody and Norma Taylor.

## Dixie Howell Signs Universal Contract, Hops Back to School

Hollywood, Feb. 4.

Contracted by Universal after a series of secret tests, Dixie Howell, Alabama football star, hopped back to Dixie Saturday (2) to take a mid-year exam.

Grider was called here from Detroit, where he was conferring on a pro football contract. At the instance of John R. Johnston, studio publicity director, he was rushed here under the alias of George Holmes.

He returns to the coast after he gets his sheepskin.

## START 'CHINA SEAS' AT MG AFTER YEAR'S DELAY

Hollywood, Feb. 4.

Metro starts production today on trick shots and backgrounds for "China Seas," Irving Thalberg feature with Wallace Beery, Clark Gable and Jean Harlow in top spots. Shooting of the picture is expected to go before the cameras in about two weeks.

Tay Garnett, who will direct, has been on the Metro payroll for the past year waiting for script jobs and availability of the three leads.

## Lloyd Taking Crew to South Seas for 'Mutiny'

Hollywood, Feb. 4.

Heading a camera and technical crew of 25, director Frank Lloyd sails for the South Seas within two weeks to secure special scenery, atmosphere and background shots for Metro's "Mutiny on the Bounty." Urie Buch makes the trip as company manager, and Charles Clarke will handle the camera end.

French plans call for Lloyd to finish up on the South Sea locations and be back at the studio in April to start production on the dramatic end of the picture.

## Kellerman Shorts

Paris, Jan. 28.

Annette Kellerman and her husband, Jim Sullivan, are propositioning both United Artists and Fox locally, on a series of underwater talking films they have made, claimed to be first of kind ever produced.

Shots were made in waters around Australia, and sound dubbed here this summer. French and English versions exist—Miss Kellerman speaks both languages—additional local scenes were made.

Films are two-reelers, and each has a plot, starring Miss Kellerman, submerged.

## FONDA IN FILM 'FARMER'

Henry Fonda who appeared in the stage production of "A Farmer Takes a Wife" has been signed for the picture by Fox. He leaves for the Coast this week.

Janet Gaynor, set for the stellar role, left for Hollywood Saturday (2).



## WILL MAHONEY

"The Star" in England said:—"Anybody naming 'Will Mahoney' should visit the Palladium." Will Mahoney, one of America's greatest comedians, is not on the stage many minutes before he has the whole audience rocking with laughter. No audience could have shown more appreciation than they did last night.

Direction  
WM. MORRIS AGENCY  
Mayfield Theatre Bldg.  
New York City

## ACTORS-AGENTS SETTLE SOME BATTLES

Hollywood, Feb. 4.

Last week was compromise week on the agent-actor sector, four agency-commission squabbles having reached the olive branch stage. Harry M. Gould compromised his fight with Boris Karloff, involving demand for \$34,450, out of court, with the actor understood to have made an ample adjustment. Suit was for commissions which would have accrued on Karloff's five-year contract at Universal on estimated earnings of \$40,000 annually.

Tiff between William Morris agency and James Cagney was satisfactorily adjusted out of court after the case had reached the state appellate court on an issue whether the agency could collect commissions on a five-year term. Peace-promoting attorneys were Martin Gang for Morris and Austin Sherman for the actor.

Bette Davis settled an \$15,000 commission complaint on file against her by Irving Trust Co. as trustee in bankruptcy for the Lyons & Lyons agency by paying \$500,000.

Complain suit of Ruth Collier for \$2,800 against Sally Eilers also went the way of the others.

## ED CURTIS TO DIRECT JUVE TALENT AT FOX

Hollywood, Feb. 4.

Edwin H. Curtis, who for several years was stage director for Henry Duff, here and in San Francisco, has joined the Fox studio directing staff.

He will handle tests and teach dialog delivery to the student players in the studio stock company.

## Abel Back to H'wood

Hollywood, Feb. 4.

Radio has given a term to Walter Abel. He reports at the studio in two weeks.

Abel returned to the stage two years ago after he was dropped by Paramount.

## GUS DEMBLING GOES 10%

Hollywood, Feb. 4.

Gus Dembling, head caster at the Central Casting bureau since its inception nine years ago, has resigned. Will go into the agency business.

## TOM BAILY'S NAT'L JAUNT

Hollywood, Feb. 4.

Tom Baily, Paramount studio publicity director, leaves tomorrow (Tuesday) for a countrywide tour to contact the metropolitan dailies.

# FAMOUS FIRST NIGHTS

The following descriptions of memorable theatrical premieres to a compilation of stage, screen, concert or nite club openings which, for some odd circumstance or another, stand out in show business. They will be recorded without thought to chronological order. The reason for the distinction of each premier is because anywhere from some historical significance in connection with the debut of a new show venture, play or company, to some other attendant excitement backstage, some colorful occurrence out front, or merely because of the gala circumstances. This is to be a continued series.

## Ciro's

(New York, May 5, 1928).

Night club pioneer in the hostessing idea, but on a wholesale scale. Started with Cecil Cunningham and a crew of 34 "hostesses," subsequently cut to 25, so that each hostess presided over a section of three tables to personally and intimately o.o. and m.c. her own sector. She was either to croon at the tables, at with lonely stage, or take an occasional dance whirl. In between, the hostesses took food orders, deputizing the regular (and actual) waiter into the role of the busboy in totting the dishes. The check, too, was presented by the hostess which made the s.a. angle okay for herself and the house, as the payer-offers couldn't just settle for a nominal 10-15% of the check as a tip.

Ciro's was previously a swank spot inaugurated by Felix Young, now an associate producer on the RKO-Radio lot in Hollywood. It then went colored and this new hostessing idea was a compromise with LeRoy Smith's band (colored) retained. The original \$34-a-couvert was down to \$15.00.

This was the hotch. Charleston era and besides being a mistress of ceremonies, glorified waitress, hostess and dance partner, each of the girls also had to do a hay-foot-straw-foot specialty on occasion, with or without a partner.

## 'What Price Glory'

(Plymouth, N. Y., Sept. 5, 1924)

The most stirring war drama to date, which developed into a sensational premiere as the play progressed—First-nighters cheered, remaining in the theatre long after the curtain was down and the lights up. One of the first instances of such spontaneous audience reaction.

Audience finally filtered out into 45th street but still stood outside the theatre talking about the play, for its frank language had never before been uttered on stage.

"Glory" brought glory and coin to its two authors, Maxwell Anderson and Laurence Stallings, until then just a couple of well liked guys on the old N. Y. Morning World. Play further proved Arthur Hopkins one of the most discerning producers of the day.

# Some Concern Over Rising Film Rights For B'way Legits; Top Prices in Years

Some film execs are worried over the rising tide of high prices for film rights to legit plays. Prices for plays went up sharply last season, being almost double in average of the prices a year previous. This season interest has been seen in inclination to go beyond 1933-34 in tops, but there have been several big money buys which would seem to indicate that the average purchase price may be even higher than last year.

Thus far this year there have been at least five fancy purchases in the way of legit rights. These were: "Merrily We Live Again" bought by Metro for \$76,000; "Farmer Takes a Wife," Fox, \$62,500; "Page Miss Grogan," Warners, \$42,500; "Anything Goes," a percentage deal against an \$45,000 guarantee, and "Accent on Youth," \$40,000.

Last year "Ah, Wilderness" got \$75,000 from Metro while Paramount paid \$76,500 for "Salvor Beware." Paramount also paid \$51,000 for "Double Door" and \$40,000 for "Pursuit of Happiness," while Metro in White brought \$45,000 from Metro. General feeling among picture men was last season was that the Hollywood boys had overbought on legit, quite a few of the buys turning out dubiously at the box office. There were a few small money buys, such as "Doctor Monks," "By Your Leave," "Hat, Coat and Glove" and "Heat Lightning," but by and large it was figured the biggest legit coin in about five years.

Biggest recent price for film purchase of a legit play was "Dinner at Eight," for which Metro paid \$110,000. Company also had to lay out about \$20,000 additional to buy up road rights of the play.

## Financing Plays

There is a growing tendency among filmies to become interested in financing plays, although this is belied by the screen rights of several standbys by the film men. Dramatists' Guild makes it difficult to get involved in play financing, but there have been several recent instances when it turned out well for the film companies. Outstanding case is last season's "She Loves Me Not," partially financed by Paramount. It got the screen rights for the financing. Unusual situation occurred in that play when it found itself in financial difficulties. Prior to the opening, the producer, play-wright and Paramount stock attorney went frankly to the Guild and explained the situation, the Guild allowing the deal as an exception, just to save the show. Turned out

a break all around, except for the producers, who probably could have gotten a healthy film price had they been able to open without celluloid financing.

Current idea, especially fostered by Warner, is to 20th Century, is to partially finance legit plays and then buy them in the open market, according to all rules of the Dramatists' Guild. Company can somewhat use a play by doing this, if outbid by another filmer, but not figured likely, especially since, by retaining a 50% interest in the legit original, company really only pays half of whatever it bids.

Grand Hotel, which Metro financed, had to go in the open market. Several major companies wanted it and kept bidding so that M-G was eventually forced to buy it for \$85,000 which, even when halved, was figured by the company as a steep price.

Still another tangent is the action of Metro a few months ago in the case of "Lost Horizon." Company had bought the unproduced legit but released it for Broadway production figuring on a build-up. Same legit was subsequently bought by Radio on "Mr. Grant," an unproduced Arthur Richman play. Studio bought all rights to it but is reported willing to assign its legit production rights to a responsible producer, figuring that it would be an inexpensive pre-production builder-upper.

## Constance Collier May Do 'Distaff Side' at MG

Hollywood, Feb. 4.

With Metro grooming Constance Collier for feature roles after her preview click in "Shadow of Doubt," studio is on a hunt for suitable stories.

First tentatively lined up is the English play "The Distaff Side," which had a 17-week Broadway run, closing last Saturday in New York.

## SAILINGS

Feb. 2 (New York to Paris) La Argentina, Nippon Yallin, Slim Silva, Helen Winstein, Robert Hurd (Champlain).

## ARRIVALS

John Barrymore, Vivian Blumberg, Mr. and Mrs. George Bancroft.



# STRIKE THREAT DWINDES

## Film Critics' Box Score

AS OF JAN. 26

Key to abbreviations: PC (Pictures caught), R (Right), W (Wrong), O (No opinion), Pct. (percentage).

### NEW YORK

	PC.	R.	W.	O.	Pct.
RICHARD WATTS, JR. (H. Trib.)	127	96	28	8	.765
REGINA CREWE (American)	133	126	49	8	.633
WILLIAM BOEHNEL (World-Tele)	137	128	69	0	.649
KATE CAMERON (News)	141	89	52	0	.531
BLAND JOHANESSON (Mirror)	190	129	58	3	.578
EILEEN CREWMAN (Sun)	179	111	59	9	.520
ANDRE SENNWALD (Times)	98	51	30	2	.514
ROSIE FELSEWICK (Journal)	174	105	41	28	.503
THORNTON DELEHANTY (Post)	153	86	57	10	.502
VARIETY (Combined)	245	202	43	0	.524

(This Score Based on 245 Pictures)

### CHICAGO

	PC.	R.	W.	O.	Pct.
DORIS ARDEN* (Times)	151	107	44	0	.708
CAROL FRINK (Her-Examiner)	91	62	13	11	.681
CLARK RODENBACH (News)	124	83	29	12	.659
MAE TINEE† (Tribune)	137	82	24	11	.598

\* Eleanor Keene.  
† Frances Kurner.

(This Score Based on 168 Pictures)

## Watts, Arlen Ahead at Half

Richard Watts, Jr., and Doris Arden lead the east and west in film reviewing at the midseason turn of the 1934-35 season. For Watts it's a matter of holding his own, he having been tops at the quarter score. For Miss Arden it's a matter of gaining speed, she having been nosed out by six points in the quarterly by Carol Frink.

Watts, who won in 1932-33, but slipped to third in 1932-34, is now back in form and leading by a comfortable margin. His score of .765 is 44 points better than his final score of 1932-33, 67 points better than Regina Crewe, second in the present standings, 47 points better than the best of Miss Arden, current Chicago leader, and 50 points better than his score at the first quarter.

Watts, of course, has an advantage in that he doesn't catch as many films as most of the other reviewers. Marguerite-Rose helps him. His present score is based on 127 pictures, the least number reviewed by anyone excepting Andre Senwald of the N. Y. Times, who hasn't been at it for the full period, lumping in about five months ago to replace Mordant Hall.

Regina Crewe, who is second at the half turn, with a score of .633, is gaining pace rapidly. She was sixth at the quarter as she managed to hurdle the distance to second within the three-month period. Miss Crewe led all the reviewers in New York in 1932-33, her first year as a metropolitan film critic, and was second once after that.

Bland Johansson managed to stick to the third niche in New York, although gaining nine percentage points. Senwald on his first 45 pictures as a film critic ended fourth on the quarter markings. Now, with 83, he has slipped down to seventh, switching with Bill Boehnel of the World-Telegram, who hopped to fourth by picking up 45 points. Kate Cameron is currently fifth, slipping from second. Her grade is .531, her worst yet. She won the battle last year, her first full year as a critic. Rose Felsewick, too, slipped some. She was fifth at the quarter turn but is down in next-to-shut now. It's still no-opinioning that worries Miss Felsewick, she having taken the dubious honor of governing change away from Mordant Hall when he left the Times. Delehanty remains in the cellar.

The no-opinioning is now healthful among the New York film critics than it has been in some time. Both Boehnel and "Miss" Cameron have managed to get thus far this season without a single instance of not calling them. Senwald, coming in

on the end of Hall's regime failed to call them twice during his first few weeks as a critic and hasn't defended that way since. Delehanty recently installed a new manner of scoring on the Post which should remove him from the danger of no-opinioning hereafter. He now is using a "moviemeter" with his reviews, a sort of clock definitely pointing a hand at fair, good or bad. That's a variation of the star system used by Miss Cameron on the N. Y. News and Miss Arden on the Chi. Times.

A curious tangent in New York is that Watts, the winner, has recently spent a lot of time, especially in his Sunday columns, discussing the drama. And Percy Hammond, the Herald-Trib's drama critic, recently went out of the way to talk about Garbo. Same thing is partially true of the World-Telegram where Boehnel reviews an occasional legit and Garland reviews an occasional flim.

In Chicago, there were no changes between the quarter and half way markings: other than that Miss Arden and Miss Frink switched spots. Miss Arden was last year's winner.

The VARIETY mob managed to keep their noses up in the air for a combined score of .824, considerably healthier than their quarter turn score of .751, which same score VARIETY had for the season of 33-34.

In general, it is to be noted that there was an all-around improvement during the second half of this season. The New York film critics combined batted .631 on the first quarter and moved up to .644 for the full half year. Combined, they batted .641 for the '33-34 season.

## Buster Keaton Eying Picture Deals Abroad

Hollywood, Feb. 4.

At the conclusion of his three picture deal with Educational, Buster Keaton may take another fling at film making abroad.

Come he has one picture set with British International and is negotiating for another in Austria.

## Wellman's Bandit Pic

Hollywood, Feb. 4.

William Wellman goes to Metro to direct *Life of Joaquin Murietta*, the early California bandit, in which Leo Carillo and Joseph Quinn-Calleja co-star. Melvin Levy, author of *Gold Eagle Guy*, is doing the adaptation; John Considine producing.

This is the first assignment for Calleja, a Broadway legit recruit.

## FILM EXECS BEAT TALENT TO PUNCH

**Studios Go Screen Actors' Guild One Better by Offering a Contract Including All Demands, Plus—Is Seen as Hands-Off Warning to NRA**

### ACAD POWER BAITED

Hollywood, Feb. 4.

The threat of a film actors' strike that was expected to crystallize after the expiration of the present Academy-form-of-freelance-contract dwindled with the offer by the producers of a new five year contract that carries concessions even exceeding those demanded by the players through NRA.

This freelance contract, and a new setup for day players, was formulated by a committee of producers and actors of the Academy and is now in the hands of the members of those two branches of the Academy for ratification. That both will be accepted is considered but a formality.

Back of the producers' acquiescence to the new agreement, as a renewal on March 1 of the present pact, is seen a strategic move on the part of the studios to eliminate any strike talk by removing the cause. Virtually only thing left for the Screen Actors' Guild to demand is producer recognition of the Guild, and with it, the American Federation of Labor, with which the Guild is now affiliated through its four-A charter.

The action of the producers is also interpreted as a means of telling Washington that it can wash its own linen without the help of NRA. Demands, far less amazing than those in the proposed new pacts, were turned down by the

(Continued on page 34)

## Mintz and U Can't Agree Who Owes Who That \$1,750

Hollywood, Feb. 4.

Unusual situation has Sam Mintz, writer, and Universal trying to collect \$1,750 from each other. Mintz sold *'Women Are Like That'*, an original, to U, and was engaged to make some changes in the script during the "revise" period. The Henningson, who was to produce the picture, became ill, and when he returned to the studio found Mintz flattened by sinus trouble.

Studio then assigned Milton H. Gropper to make the changes. When Mintz tried to collect the \$1,750 due him, studio informed him that, because of having to replace him with another writer, he owed the studio that amount. Matter has been turned over to the Academy.

## BRITISH OFFERS FOR KRUGER AND VAREONI

Hollywood, Feb. 4.

British picture producers are still after Hollywood players. Gaumont's British last week cabled an offer to Otto Kruger for the lead in *'The Living Corpse'*.

London Films has put in a bid for Victor Vareoni to play the lead role of Franz List in *'Hungarian Fantasy'*. Deal may chime through player having to stay here for early hearing on an application for U. S. citizenship.

## Writers-Producers Deadlocked, Scribes File Demands with NRA

### CURSES ON U

Karloff and Olive Injured as Jinx Hits *'Frankenstein'* Set

Hollywood, Feb. 4.

What they call the 'curse of Frankenstein' at Universal has twice hit players for injuries on the set of *'The Bride of Frankenstein'* during the past week.

Boris Karloff, working with 62-pound make-up, slipped and dislocated his hip, compelling delay on his scenes by frequent enforced periods of rest, although he has kept on.

Colin Clive, who impersonates Frankenstein, injured the ligaments of his knee in a fall and was put on crutches for closeups over the weekend.

## U. S. COURT TEST ON 'ECSTASY,' CZECH PIC

Washington, Feb. 4.

Action to obtain court test of the admission of the Czech film *'Ecstasy'* will be taken some time this week. Treasury officials indicated today.

Through with waiting for Eureka Productions to make a move to reexport the banned sinder, Treasury attorneys indicated that Federal D. A. Martin Conboy will ask the U. S. District Court at New York to condemn the film and permit confiscation. Samuel Cummins, Eureka boss, is reported ready and anxious to contest the Government action.

This will provide the first court test of the smut laws of the Hawley-Smoot tariff law, it was believed in Government circles, and possibly set a precedent for future action in regard to questionable foreign screen productions. Previously the anti-drug provisions have been applied only to written matter and still pictures.

Matter of speculation was the nature of the Government case, since it has been reliably reported—and, significantly, not denied—that Huntington Cairns, 326-a-day morals advisory of the Treasury, saw no reason for barring the Czech picture. Also understood that the decision to deny entry was a surprise to other Treasury execs who had witnessed at secret screening at a local house in company with Mrs. Henry A. Morgenthau, Jr., wife of the Treasury head.

## Metro's 'B'way Melody' Due to Start March 4

Hollywood, Feb. 4.

*'Broadway Melody of 1935'* goes into production at Metro, after nine months of preparation, under the supervision of John Considine March 4, with Roy Del Ruth directing.

Cast will be made up of stars and contract players from Metro lot, with a few recruits from the New York stage.

## Durante's Personals

Hollywood, Feb. 4.

Jimmy Durante leaves Friday (8) for three weeks of personal appearances in Elbow houses, playing *'Pittsburgh, Baltimore and the Valencia'* in Queens, N. Y. This is on his studio contract, which runs until May 28.

Likely when he returns he'll get a picture assignment at Metro.

Hollywood, Feb. 4.

Writer members of the five-five committee, deadlocked with producer members in reaching agreement, sent their demands to the NRA with arguments. Demands are:

All contracts shall be in writing even for week-to-week employment. Except in cases where writers are working on a royalty basis, no producer shall agree with writer to work on speculation. This means that a producer may not ask a writer to perform by the written to take same should it prove acceptable.

Writers shall be paid 25% of the agreed price at the time the agreement is made. The remainder shall be paid in full upon delivery. All changes must be asked for within 10 days after delivery.

In week-to-week contracts either party must have on week's advance notice of termination. No contract shall provide for suspension at the option of the producer except through default or inability to perform by the writer. In cases of suspension due to an act of God, suspension shall not be for more than one week to each three months of contract.


Layoff periods shall not be for more than 12 weeks in any one year and all layoffs must be a minimum of seven days.

There shall be no loan of a contract writer except with the writer's assent.

Screen credit to be given only for original matter and screen play and producers are prohibited from contracting with a writer for screen credit no matter what he contributes. Exception is made in the case of musicals.

Associate producers are not to be given screen credit without collaboration. Cases in dispute shall be settled by conciliation within a screen or


(Continued on page 19)



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# FILM BIZ GLAD OVER PAR'S EMERGENCE FROM TWO YEARS OF BANKRUPTCY

**Healthy Influence Seen in Expected Resumption of Unfettered Operation This Spring—Judge Likes Par's Plan**

Plimdon sees the ending of Paramount's two years of adversity, in early spring, and the launching of a new company under the same name, for the betterment of the entire industry, with Federal Judge A. C. Cox having indicated on Thursday (31), the court's preliminary approval of Par's proposed reorganization plan.

Par's proposed plan of reorganization is fair and equitable, Judge Cox has ruled.

The Par board met yesterday (Monday) to ratify the modifications in the plan which have been suggested by Judge Cox.

With these modifications inserted into the plan, the court's confirmation of the proposed plan appears to be a mere legal formality which may be expected at the scheduled hearing on Thursday (14).

This approval of the proposed reorganization plan practically marks the second anniversary of the original receivership action of the company, as of Jan. 26, 1933.

The plan itself has been before the court for more than two months. All kinds of lawyers representing all kinds of interests have had their opportunity to address the court about the plan.

The modifications which he suggested before signing his preliminary approval, are important amendments which will touch the entire operation of the company.

No part of the plan, however, minor or comparatively small, is thrown out. The only changes asked by the court are that two conditions be amended.

The Par proposal is the first big reorganization plan to be considered by the courts under Sec. 77B of the new Corporate Bankruptcy Act. In view of this, the Par plan, which by the court's apparent approval, can now be considered a model, per se, becomes an important outside the film industry as well as with the trade.

This plan came into being under the sponsorship originally of the Underhill Delmonte Committee and its counsel. It was adopted by the stockholders' committee, and the company itself and then offered for the consideration of the court by the management, through Attorney Alfred Cook, of the downtown firm of Cook, Nathan & Lehman. Law firms which have cooperated in the mapping of the plan and in its presentation, with the committees include Cravath, deGersdorff, Swaine & Wood, and Davis, Polk, Wardwell, Gardner & Reed.

## PEGGY FEARS' FOUR-WAY PACT EXPIRES AT FOX

Hollywood, Feb. 4. Fox failed to take up its option on Peggy Fears, who has been at the studio six months.

Miss Fears' contract called for acting, directing, writing or producing, but during the six months she only appeared in one picture, 'Lottery Lover.'

## 'Lancer' Gives Par Hunch To Trot Out 'Beau Geste'

Hollywood, Feb. 4. Click of 'Beau Lancer' has Paramount contemplating a remake of 'Beau Geste', studio outlander of 1926. Latter picture is along similar lines.

GARY Cooper is in mind for the lead, with the Guy Lombardo also being considered for the picture.

## 'Good Fairy' Print Flown Into Radio City Just in Time

By flying in a print on 'Good Fairy,' which reached New York just 24 hours ahead of opening Thursday (31), and by buying 'Scarlet Pimpernel' from United Artists, the Muto Hall has bridged its product shortage gap, caused by failure of four major distributors to supply pictures, in time, under the Hall's selective deals which it wanted to play.

'Good Fairy' is the first from Universal to play the Hall—since 'One More River' last August, five months ago, yet under this year's deal the Hall is committed to play 12 Universals. Either 'Whole Town's Talking' (Col.) or 'One More Spring' (Fox) follows 'Pimpernel,' after which Fox is expected to have the next Shriley Temple ready, 'Little Colonel.'

## JUNE WALKER AT FOX BUT NOT FOR 'FARMER'

Hollywood, Feb. 4. June Walker, arrived here Friday (1) under contract to Fox. Though she was purchased by Fox, she will not be featured in the legit production of 'The Farmer Takes a Wife,' she'll not appear in the Fox celluloid version.

## CRAWFORD'S 'DARK DAME'

Hollywood, Feb. 4. Metro has purchased 'Dark Dame', novel by Wilson Collish, which goes into production late in spring, with likelihood Joan Crawford may play the lead.

# New Nat'l Census On All Show Biz, This Time Hoped to Be Accurate

Washington, Feb. 4. How many film, vode and legit houses are there in the U. S.?

What is their annual gross?

How many employees do they require and what is the size of their payroll?

These questions perplexed Government figure-jugglers this week as efforts to reconcile conflicting industry and Government figures proved entirely futile.

A new nation-wide survey of the economic condition of the theatrical industry is in the making, an outcome of recently-revealed discrepancies between reports compiled by the Census Bureau, Bureau of Foreign and Domestic Commerce, Bureau of Labor Statistics, and Hays organization. Federal officials last week reluctantly admitted that even in the face of mountains of reports the Government has little reliable dope on the extent and importance of the amusement field, particularly as concerns film, vode and legit theatrical enterprises.

The perplexing situation arose with publication of the annual 1934 estimate by the Hays organization, based on film boards of trade reports, which was very much at variance with estimates based on Census Bureau studies. Further discrepancies were revealed when the Census and Hays figures were contrasted with a little-published tabulation of national income prepared a year ago by the Foreign and Domestic Commerce bureau.

The Census figures, based on conditions in 1933, showed: a total of 10,141 film and film-vode houses with a gross of \$405,587,000, employing some 60,000 full-time hands and paying more than \$75,000,000 in salaries. The Commerce Department's national income report, based on 1932 conditions, showed: a gross income for film houses of \$700,000,000, 125,400 employees, and a payroll of \$235,183,000.

The Hays report, dealing only with numbers of houses, caused further doubt of the Census figures, while the number of assents to the film code, now in the vicinity of 9,000, was another reason to suspect each of the other tabulations.

Just how reliable the Census figures may be is a matter of intensive disagreement. When the state summaries were issued, VARIETY was informed that there was reason to suspect the accuracy of many of the counts. Officials, however, declined to comment on the Hays figures and the discrepancies indicated.

## Unusual

Various box office reports coming into VARIETY this week mention the 'March of Time' newswreel. Raising the comment is such as to mark it as unusual, particularly as regards a two-reeler.

Advance bally given this newswreel via the car and in Time and Fortune magazines, plus heavy local campaigns, is credited for much of the public interest.

Los Angeles, Feb. 4. Fox-West Coast execs credit 'March of Time' with upping business 20% above normal in last run.

## JAN. HIT PROD. TOP, 48 PIX IN WORK

Hollywood, Feb. 4. January was the busiest production month in years with 48 pictures before cameras and 51 in cutting rooms. Last January had 39 in work and January of 1934, 44. Top production activity is at Paramount with 10 in production. Warners is next with nine. Metro and Radio have five each and Fox, Universal, Columbia and United Artists four each. Hal Roach, Walter Futter and Walter Wanger each have one feature working.

## Nichols on Radio's 'Musketeers' Remake

Hollywood, Feb. 4. Dudley Nichols has been signed by Radio to write the screen-play for 'The Three Musketeers.' Writer swings over to Radio upon completion of current scribbling job at Fox.

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The possibility that Census nose-counters overlooked many small houses operating only one or two days a week has been suggested in various circles to explain away the differences, but even this theory does not take into account the apparent great difference in employment figures between the 1932 Commerce estimate and the 1933 census total.

The question of employment in film houses may be settled this year once and for all, since Congress is on the verge of authorizing a new study to give an accurate picture of the unemployment problem.

## Big Game Hunters

Hollywood agents Walter Herzbrun and Al Kingston, have been doing the Broadway show crop. Both returned over the weekend. They're independent of each other, merely being East coincidentally. Kingston, while in New York, established a Broadway branch under Selma Alexander's office management.

Phil Freedman, Fox caster, has been also making the shows, etc., ditto Bill Perlberg, Columbia's talent scout.

## Theatre Man Contributes Weekly to Make Amends For Auto Accident

Denver, Feb. 4. After manslaughter charges had been dismissed, a Denver theatre man revealed that he was paying \$1,000 to the victim's 4-year-old daughter, and was also furnishing transportation for her and her father to Germany, where the daughter will live with her grandparents.

Frank L. Dent, booker for Westland theatres, hit Mrs. Otto Wolter, the mother, with his auto, several months ago, and she was killed. Investigation revealed he was not to blame and the charge was dismissed on motion of the district attorney. Dent, deeply depressed over the accident, has since been contributing to the support of the child, and when the father expressed a desire to take the child to Germany to live with his parents, Dent offered to pay the expenses as well as continue the \$25 he had been paying.

## DARMOUR'S 6 MAYNARDS FOR COLUMBIA RELEASE

Larry Darmour closed a releasing deal with Columbia for six Ken Maynard pictures years, latter taking place of Col. Tim McCoy on program.

At present time C. C. Buri has a complaint against Darmour and the Small-Landau agency before the Code Authority, claiming prior rights to Maynard's services. Agency is brought into it because of handling the present acting contract with Darmour. Hearing on complaint comes up locally within next 10 days.

## Team Sidney, Marshall For 'Accent on Youth'

Hollywood, Feb. 4. Paramount will bracket Sylvia Sidney and Herbert Marshall in the studio's newest play buy, 'Accent on Youth.'

Play by Samuel Raphaelson, is current on Broadway.

## Mary Brian Learning To Hoof for Personals

Hollywood, Feb. 4. Mary Brian leaves here in two weeks for New York and a personal appearance tour. King, King and Arena will work with her, dancing now rehearsing her in a hoofing routine.

Eastern dates not set yet, but act will stop off in Chicago for a break in date.

## Tenn. Beut Recalled

Hollywood, Feb. 4. Helen Wood, debut contest winner of Clarksville, Tenn., has been given a contract by Warners and is currently in 'Traveling Saleslady.'

Miss Wood came here for a bit in a Sam Goldwyn picture, following the winning of the contest conducted by the Crescent Amusement Co. then returned home. Warners saw a test of the girl and re-sent for her.

## Fannie Brice at U

Hollywood, Feb. 4. Fannie Brice is due at Universal for 'The Great Zigfeld' at the close of her 'Follies' tour. Check-in set for early in March.

# GUNMEN KILL TOM MALOY IN CHI

Chicago, Feb. 4. Thomas Maloy, 45, business agent and head of the Chicago motion picture operators' union and a power in the IATSE, was shot and killed while driving north on Michigan boulevard by machine gun gangsters at one o'clock this afternoon (Monday). Dr. Emmett Quinn, honorary member of the union, also in the car, was seriously wounded. The assassins escaped in their automobile.

Two weeks ago Maloy was indicted on income tax evasion charges brought by the Federal government. It was alleged that Maloy failed to pay \$31,000 taxes on an income of \$350,000 from 1929 to 1932.

Along with George Browne, now the IATSE president, and James Ferrillo of the musicians, Maloy was one of the three Chicagoans with international reputations in theatrical union affairs.

Maloy became head of the CHI operators 15 years ago, succeeding Jack Miller, who is now president of the local exhibitors' association. On several occasions he had been mentioned for the IA presidency. He is survived by his widow.

## BELL NOT READY FOR PIC, LAWFED FOR 25G

Los Angeles, Feb. 4. Rex Bell, Clara Bow's husband, is being sued for \$25,000 by Nathan Goldberg who charges he has been damaged that much by alleged misrepresentation by Bell and his agents, Lichtig & Englander, that the western star was free to make a serial, 'Custer's Last Stand.' Agency is named as co-defendant. Goldberg claims to have sold territorial rights for the cliffhanger before finding out that Bell was not, as the compliant states, available.

## Henry King's New 2 Yr. Director Pact at Fox

Hollywood, Feb. 4. Fox has signed Henry King to a new directing contract to run on straight two-year basis without options. King has just finished his fifth consecutive year with Fox, without making one picture on the outside during that period.

## Karloff's Whodunit

Hollywood, Feb. 4. Initial picture for Boris Karloff on his deal with Columbia will be 'The Black Room Mystery,' by Arthur Strawn. Strawn has been signed under a writing contract by Columbia, and first assignment will be preparation of the screen play of his own yarn.

## Darro and Mason's Indie Series for Ambassador

Hollywood, Feb. 4. Frankie Darro and Roy Mason have been signed by Maurice Conn to co-feature in a series of comedy melodramas the producer will make for the independent market for 1935-36 season. Conn's Ambassador Pictures is completing group of westerns starring Kermit Maynard for the current season.

## BOLES BACK TO H'WOOD

John Boles, after two weeks of personal appearances in Detroit and at the Chicago, Chicago (currently), goes back to the Coast Thursday (7).

## Krasna Gaggling 'Reckless'

Hollywood, Feb. 4. Paramount has loaned Norman Krasna to Metro for two weeks to gag 'Reckless.' The picture is already three-fourths filmed.

# Mannie Cohen Resigns as Par Prod. Head; Herzbrun-Lubisch at Helm

(Continued from page 1)

stockholder assent, and before the court confirms formally the proposed plan, as fair and equitable. These modifications are:

(1) Interest on the \$500,000 to be paid in cash to the banks as part of the \$13,000,000 "film hocking" settlement, should be reduced from 6% to 5%. This will reduce the company's interest requirements slightly more than \$45,000 annually.

(2) Terms of directors shall be divided into three classes—one, two and three years.

Originally the plan as proposed provided that one-fourth of the directors shall be elected for the three years. Those who objected to this provision have argued that the board shall be elected annually.

The court, however, accepts the suggested compromise of the proponents of the plan by including a three-year class. The court also provides an amendment that at the end of three years, the board shall be elected annually, with the proviso that cumulative voting, be allowed, thereafter.

In the opinion of the court, this division of the directors into groups, allowing for a three-year term, is necessary in order to assure some form of continuity to the company management and permanency as to company policy.

At the last court hearing on the Paramount plan, official cognizance was given for the first time to the possibility of Frank C. Walker being named to the board. His name was mentioned as a likely 17th member of the directorate by Attorney Alfred Cook, counsel to Paramount. In the matter of the presentation of the proposed reorganization plan, observers in court felt that perhaps this inclusion of Walker, heretofore, without previous official notice, was a strategic move for political reasons within the Paramount office.

Walker had been discussed in trade circles as a possible Epi nomination for the board. In view of the possible investigation of the A.T.C.'s name, however, by Congress, now in session, it was felt that such sponsorship would be unwelcome to Walker. It was in this light, plus the old Comerford chain angle, and some observers in court looked upon the sudden announcement of Walker's name. However, it developed that Walker had been agreed upon previously as the Fortingro group. It is possible that Walker is a nominee of the Par management group, according to others.

Attorney Cook indicated in court that Walker had not at the time, indicated his consent to serve.

**Cook's 18 Board Plan**

Cook also prompted the suggestion that perhaps the new board should be comprised of 18 members. Then, under a divisional grouping of directors according to their terms, from one to three years, there would be a group of six directors elected under each of the three years. For one, two and three years. Presently the proposed plan allows a maximum directorate of 20.

No name was mentioned for the 18th director.

Federal Judge A. C. Cox holds that the court should have the responsibility of approving the new board or at least a veto power over the personnel of the initial board, but as interpreted according to Judge Cox's opinion, this does not mean that the court should deny any nominee as not proper, or any of the company as unfit.

In its remarks, the court took official cognizance of the 17 men named by Attorney Cook. The 17 board members mentioned, inclusive of Walker, include: Charles E. Richardson, John D. Hertz, H. A. Fortington, William S. Gray, Jr., George J. Schaefer, Percy H. Johnston, Cassat, Frank A. Vanderlip, Dimes, G. Harris, Maurice Newton, Robert Callaghan, Gerald Brooks, Henry B. Luce, Floyd Oldham and Adolph Zukor.

Judge Cox indicated that there was a practical unanimity of opinion on the part of counsel and all persons interested in Paramount, and that the company should be taken out of the hands of the court as swiftly as possible. Judge Cox holds that the proposed settlements with Allied Owners and the Paramount Broadway

bondholders, are substantially fair and should be carried out.

There had been opposition to both settlements. Attorneys for Allied Owners, Goldwater & Flynn, for example, had objected to the Par-Broadway deal. Others also objected, and there were some who objected to the Allied Owners (Greve) settlement.

**Judge Cox's Idea**  
As to the Allied Owners claim, observed Judge Cox, "the claim is roughly \$23,000,000. It is proposed in the plan of reorganization that it be compromised and settled by allowing the claim in the sum of \$5,000,000, and also by paying to Allied Owners' estate \$150,000 for loss and expense. I think are substantially reasonable and fair."

As to the Paramount-Broadway settlement, Judge Cox stated:

"With the Paramount-Broadway settlement, claims have been filed aggregating in amount roughly \$175,000,000, and it is proposed to give to the present Paramount-Broadway bondholders new First Mortgage bonds par for par, bearing guaranteed interest of 5%, and also a substantial sinking fund. In the case of the Paramount-Broadway company the settlement will leave the present bondholders, aggregating in amount \$8,975,000, with bonds bearing the same security that they have now, but with a smaller interest rate, giving to the Paramount company the control and the possession of the present Paramount Bldg. in N. Y. C."

"There has been considerable discussion as to whether the various leases to be made by the new company for office space and the theatre in the Paramount Bldg. warrant this arrangement. I am inclined to think that the Paramount Bldg. is a substantial asset of the new company. The nature of the Paramount properties."

Judge Cox says that in regard to the conversion feature of the unsecured creditors, that in view of the fact that the creditors are relinquishing what has heretofore been a fixed obligation and they are taking, in place of part of it, a junior security, the court felt that the conversion feature permitting the preferred stockholder to convert this stock into common stock at the rate of seven shares of common to one of stock, preferred is entirely proper and fair.

Judge Cox also feels that the creditors of the company are entitled to have the voting control, and that therefore it seems that the provision that each share of stock preferred shall be entitled to 20 votes is a reasonable one.

**Why Interest Reduced**

Insofar as the new bank debt is concerned, Judge Cox feels that reduction in interest is called for because the banks are being placed in an advantageous position with respect to that particular fund, and that if receivers' certificates had been issued for the amount, these

certificates might not have borne more than 5% interest.

As to treatment of the creditors, Judge Cox views that it is fair treatment, particularly in view of the fact that the all creditors are placed in one class regardless of whether they are unsecured creditors, debenture holders or otherwise.

Judge Cox also went into the matter of criticism which had been made in regard of the rights and warrants to stockholders to subscribe for new stock. On these, almost all of the creditors, Judge Cox feels that these warrants should be offered first to the common stockholders as it is proposed in the plan, rather than as it was urged by some attorneys that the creditors and debenture holders.

It was also the court's opinion, that he was not sure but what more financing than is called for under the plan, might be necessary for working capital.

"In the main, therefore," says Judge Cox, "I am satisfied that the treatment to be accorded to the various claimants is entirely fair and reasonable."

## MG DEVELOPS 3d DIMENSIONAL EFFECT

Hollywood, Feb. 4.

A third dimensional effect has been produced on straight film by a new process developed and now in process of perfection by John Nickolaus, head of the Metro laboratory.

The basic idea is the bombardment of the film, in process of development, by atoms of a chemical solution under pressure, by means of which chemical unsteadiness is eliminated. This has been a major problem confronting laboratory technicians since film originated.

By this means all oxidized solution is immediately removed from contact with the film. This results in a negative which gives a certain depth of depth in the release print.

Nickolaus has worked on this idea for more than two years, and the process has reached a stage of practical development which has decided Metro to use it on all future releases.

## BROWN GIVEN REINS ON AIR FILMUSICAL AT WB

Hollywood, Feb. 4.

Harry Jos Brown has been given the supervisory assignment on Warner's "Radio Jambores" and "Serves You Right," starring for Joan Blondell. Pictures make Brown's 11th and 12th productions since he joined the studio in July.

George Bricker is scripting "Jambores," which will have all the studio's top names in the cast plus several radio names. Latter will be photographed in New York. Erwin Gelsey is doing the screen play for "Serves You Right."

## F-WC Sale at \$15,500,000 Consummated; Gumbiner, Bard's 2 Anti-Trust Suits

Hollywood, Feb. 4.

Sale of assets of the defunct Fox West Coast theatre circuit to National Theatres Corp. new holding company replacing Westco, was consummated Saturday (2) for approximately \$15,500,000. Last minute withdrawal by Chase National Bank of its claim of \$800,000, and by West Coast Hollywood Theatres group of \$50,000 claim, both of which had never been adjudicated by court, paved the way for the transfer of stock of the bankrupt corporation to the new holding company.

While final sale was being negotiated, two actions brought under the provisions of the Sherman-Clayton anti-trust law were being brought in U. S. District Court here naming the bankrupt estate and its three trustees, Charles Skouras, W.H. Moore and Charles Irwin, as well as all major distributors and

## De Mille's Vindication in Tax Claim Seen as General Victory For Personally-Owned Co.'s

Par Holders

Washington, Feb. 4.

Unofficial report of those

who hold \$100,000 or more in Paramount securities include Lehman Bros., Kuhn-Loeb, Lazard Freres, Hallgarten, Gerald Brooks, Harry Content, Belden & Co., Newburg & Co., and Elliot & Cox.

David O. Selznick, Metro producer, is said to own \$19,000 in Par securities.

Vanderlip Committee supposedly represents around \$14,000,000 in holders of Par securities, the Minger-Sold committee around \$500,000.

Belden & Co., holding an estimated \$800,000 in Par securities, is believed to be the nominee of the Fortington group. Elliot Cox and Lazard Freres, together estimated to hold around \$750,000 in securities, Lehman Bros., \$350,000; Kuhn-Loeb, \$2,000,000, and up.

Government crusade to penalize film producers accused of dodging income taxes received a sharp setback Friday (1) when the U. S. Board of Tax Appeals ruled that Cecil B. de Mille Productions, Inc., had not accumulated unreasonable reserves for the purpose of tax avoidance.

While the board split on the issue, the majority decision cleared the Hollywood producer of suspicion that his personally owned corporation had been manipulated to reduce his personal tax liability. Decision wiped out deficiency assessments of nearly \$1,700,000 imposed by the Government. On a minor issue de Mille lost out when the board found a deficiency of \$953 in the tax payments of his wife, Constance.

Strikingly similar to a prior case involving William de Mille—who, incidentally, was found by the Board to have avoided taxes by borrowing large sums from his personal corporation—this dispute marked the first important victory within the film industry against the Roosevelt-supported drive to round up persons suspected of having held out on back taxes.

The gist of the board's majority opinion was that:

"In view of the evidence as to the costs of picture production, and as to the marketing hazards of the talent and taste of the producer may not satisfy the public fancy, we cannot say that the surplus accumulated by this corporate petitioner was beyond that necessary to its ends."

The alleged deficiencies amount to \$189,487 for de Mille as an individual and \$1,486,317 for the production company.

Reviewing a detailed and involved record, the majority noted that over nearly a score of years de Mille had run into numerous hazards and had frequently been forced to withdraw from contracts with other major companies to whom his services were leased. These facts were interpreted as evidence substantiating for his claim that the company surplus was accumulated as protection.

(Continued on page 48)

## SEE CHANCE OF UP-PAYROLLS THIS YEAR

As the picture business' pioneer in salary cutting, Paramount may soon start its way back to a bigger payroll. This is the expectation from within when reorganization of the company is finally set up. During bankruptcy pay increases at Par, even where highly recommended by heads of departments, have been turned down by the trustees. A few, however, have been okayed, but largely where the recipient has been loaded with extra work.

Par put through four different salary cuts. Two affected all employees, a third touched the higher salary brackets, and a fourth, the lower salaried people. Because of this situation, boosts may first be passed around where they are felt to be most deserved.

This has been done in other companies since the salary slicing. Warner Bros. handed out certain increases, while Metro recently returned its cut.

The first cut to come back was about a year ago in United Artists. Metro waited a year or more after the other majors had stripped their payrolls until it cut, and kept its word with employees that the slice would be restored as soon as conditions improved.

National Screen Service invoked the different salary cuts. Before the end of the past year it had restored its third slice to all employees, and may, along with major producer-distributors, increase its payroll this year.

The N.P.E.A. is wholly in favor of continuing the five-day week. This is one break, prior to NRA, which salaried people in films received to make up for the cuts they had taken. Office boys and messenger help, though, has been in preparation for months.

Carrying some weight with respect to restoration of cuts is the fact that other industries have eliminated slices and that the Government, concerned with putting all its employees back on pre-depression salaries: The U.S. restored 10% of its 15% cut to all Federal employees last year and has promised the balance of 5% this July 1. New York State during the past week also recommended complete restoration of salary reductions this year.

## REEVES ESPY TO JOIN GOLDWYN

Hollywood, Feb. 4.

Reeves Espy, assistant to Charles Skouras in the operation of Fox West Coast theatres, will leave to join Samuel Goldwyn in an executive capacity, handling both production and theatre contract.

Espy came here from St. Louis where he had been with the Skouras Bros. for a number of years.

## AYLESWORTH ON COAST GETTING COOPER SET

Hollywood, Feb. 4.

Basic purpose of visit here by Merlin H. Aylesworth is for a readjustment of Merlan Cooper's contract for two pictures, without options, for Radio.

Understood that after completing Rider Haggard's story, "She," now in production, Cooper would duck making "Pompeii," though, says he has been in preparation for months. Original plan was for Cooper to join the Whitney-Pioneer organization as v.p. and production head after quitting Radio, but Aylesworth, who is an intimate friend and advisor of Cooper, wants to readjust the Radio deal for him to make two more instead of "Pompeii."



## Amusement Stocks Dip Downward Along with a Listless Market

Stock values drifted fractionally lower in the dullest full-day session in weeks yesterday (Monday). Volume was below Saturday's two-hour session when \$99,000 shares exchanged hands. Amusement stock prices also edged downward, but Paramount liens recovered from the week-end profit-taking. The street doesn't expect the gold-clause decision now until Wednesday or later. Amusement stocks drifted listlessly along with the whole market during the past week. A tendency to firm up with the remainder of the list near the close Saturday was aided the Amusement Group, which closed slightly above 24%. Here it was off 0.885 points on the week. The high mark for the group was 25%, and the low was at 24%. Volume was off the same as it did in other groups.

General trend of prices was indicated by the way Dow-Jones industrial averages finished the week. After getting down to nearly 100, the averages wound up at 102.20 for a loss of 0.38 points, or fractionally less than the decline of the preceding week. Ralls and utilities were in the same boat.

Outside of a few minor instances, amusement issues wound up behind the minus sign. Losses generally were small ones and trading was so inactive that even these meant little to the general market picture. The principal major loss, outside of a few inactive preferences, was that suffered by Radio, preferred A, which fell back 1 1/2 points and closed at 60 1/2. The high level for this stock was 61 1/2, and the low was at 59 1/2.

For no apparent reason, other than a lack of general support, several preferred stocks dropped down perceptibly. Loew's preferred sunk to 102, where it closed, off 1 1/2 points. Warner Bros. preferred dropped back to 21 1/2. Saturday's close. There it was down 2 1/2 points, with the usual small number of transactions reported.

Westinghouse preferred rose to a new 1934-35 high at 29 1/2. So far the Hearst rag gives no indication of shifting the crime photos to another spot.

## Exhibits Yip at Hearst Chi H-E Crime Photos

Chicago, Feb. 4. Circuits, indies and exhibitor associations have sent squawks to the Hearst office here, because of the spotting of crime and crime-death pictures right in front of the amusement section of the Sunday Herald-Examiner.

Theatres are yelping that the three pages of crime and death photos are hurting the amusement section on Sunday and keeping down men from scanning through the amusement pages. Theatres point to parents who are destroying the section so that it won't get into the hands of the children.

So far the Hearst rag gives no indication of shifting the crime photos to another spot.

## Bank Laws Former Film Head for \$193,000 Loan

Los Angeles, Feb. 4. Loans made by A. A. Young, ex-president of Tiffany Productions in 1931, declared to amount to \$193,032, as a balance of an original \$300,000 advance, are being called through Superior Court suit by Bank of America National Trust & Savings Association.

Suit is also brought against A. A. Young as guarantor of the loan.

### Yesterday's Prices

Sales	Am. Stet.	High	Low	Last	Chg.
100 Con. F. pr.	20 1/2	20 1/2	20 1/2	20 1/2	0
100 Gen. F. pr.	20 1/2	20 1/2	20 1/2	20 1/2	0
5,000 Gen. F. pr.	20 1/2	20 1/2	20 1/2	20 1/2	0
5,000 Low	20 1/2	20 1/2	20 1/2	20 1/2	0
5,000 Par-F. pr.	20 1/2	20 1/2	20 1/2	20 1/2	0
100 Par-F. A.	14 1/2	14 1/2	14 1/2	14 1/2	0
4,000 Par-F. B.	42 1/2	42 1/2	42 1/2	42 1/2	0
100 W.B.	42 1/2	42 1/2	42 1/2	42 1/2	0
400 Tech.	12 1/2	12 1/2	12 1/2	12 1/2	0
500 Trans.	12 1/2	12 1/2	12 1/2	12 1/2	0
BONDS					
31,000 Gen. T.	8 1/2	8 1/2	8 1/2	8 1/2	0
4,000 Low	8 1/2	8 1/2	8 1/2	8 1/2	0
40,000 Par-F. A.	8 1/2	8 1/2	8 1/2	8 1/2	0
15,000 Par-F. B.	8 1/2	8 1/2	8 1/2	8 1/2	0
20,000 Par-F. C.	8 1/2	8 1/2	8 1/2	8 1/2	0
30,000 W.B.	8 1/2	8 1/2	8 1/2	8 1/2	0
10,000 W.B.	8 1/2	8 1/2	8 1/2	8 1/2	0

## Hearst's 2d Pix Nix, This Time, March of Time

Baltimore, Feb. 4. Hearst papers have been ordered to thumb the new 'March of Time' reel, it was disclosed here when the News-Paper didn't go for a line of motion on it. Understood the ban order comes direct from: Hearst headquarters and carries through to all the Hearst chain with no review, art or publicity to break. It dates from the fact that Hearst doesn't like Time, the mag allegedly having grilled the publisher on several occasions in the past. Hearst unburdened another firm dislike here recently when he ordered the local paper to sink Walter Wanger's 'President Vanishes'.

## Sy'case Exhibs No Like Hearst Amus. Ads for Comm'l Film

Syracuse, N. Y., Feb. 4. Syracuse gets its second advertising show of the season Thursday, when 'The Freedom of the Sheet' sponsored by Norge, plays a special morning matinee at RKO Keith's. Free tickets are being distributed through the local A. & P. chain stores and the Stone Piano Co.

Display copy placed cooperatively by Norge and the local jobbers, B. H. Spinney Co., was accepted by Hearst's Sunday American for its dramatic section, where it dominated.

Exhibitors looked askance at the paper's policy, arguing that the president of the established was a menace to the commercial theatre.

### 'WEDDING NIGHT' OVER

Hollywood, Feb. 4. Goldwyn has finished 'Wedding Night' after two weeks of retakes. Bad weather delayed it.

## Claim Minn. Exchanges Selling '36 Product Half Year Ahead of Schedule

### JUST INQUIRING

Only Bids on Loew's N. Y. Critteron Party Thus Far

Bids to the Paramount trustees on the Critteron-Loew's New York property, closed during the past week, include mostly inquiries as to more particulars with respect to the property, it is understood, with probability not remote that a foreclosure sale will now be held.

Proceedings on a foreclosure, brought by the City Bank Farmers Trust Co., have not reached the point as yet where a date for public sale has been set but expected that this will be done when certain details with respect to the mortgage have been cleared up. The City Bank mortgage is for \$4,000,000, plus back interest.

### QB-METRO EXCHANGE

Willing to Land Jessie Matthews If Getting Beery

Metro is negotiating with Gaumont-British for a loan of Jessie Matthews, whom G-B has tied up on a long term paper.

G-B is willing to let the girl go for one film if getting Wallace Beery or someone of like import for one film in exchange, but not otherwise.

## JR. LAEMMLE'S 7 AT \$400,000 A SMACK

Hollywood, Feb. 4. Lineup of productions at Universal to be handled by Carl Laemmle Jr. has been bumped from six to seven. 'Return of Frankenstein,' now in production at the studio, is the extra feature. Group to be made by Laemmle Jr. will be budgeted at around \$400,000 each.

Only other picture set so far in 'Show Boat,' with Irene Dunne. Young Laemmle is looking for a story to co-star Edward G. Robinson and Claudette Colbert and is negotiating for the players. Same situation pertains to John Barrymore. James Whale will direct two of the pictures. And R. C. Sherriff will write an original story for another.

Possibilities are that the remake of 'Hunchback of Notre Dame' will be given to him as a tail-ender, with either Claude Rains or Boris Karloff in the lead.

### Mooser on Coast

Hollywood, Feb. 4. George Mooser is here from London looking after George Bancroft's business affairs while the latter is in New York. Actor due back next week.

### L. A. T. O. N. Y.

Frank Brandow.  
Frank Brandow.  
Walter H. O'Leary.  
Emanuel Cohen.  
Eugene Forde.  
James E. Francis.  
Simon Gersh.  
Lucille.  
James R. Grainger.  
Sonya Levien.  
Joe Mankiewicz.  
Fred Polton.  
Bob Ritchie.  
Gradyville Sears.  
Spyros Skouras.  
John Stone.  
Joe Tuohy.

### N. Y. TO L. A.

Mrs. Milton Blow.  
Max Dreyfus.  
Margaret Pinback.  
Henry Fonda.  
Janet Gaynor.  
Walter Herzbrun.  
Alice Hughes.  
Al Kingston.  
Pauline Lord.

## Inside Stuff—Pictures

Recent official adoption of the camera as the last word in judging the finish of a horse race recalls that Joe Howard, the songwriter, had the idea some 30 years ago. Howard at the time was interested in motion pictures for the then prevalent illustrated songs, but his enthusiasm over the idea of using the camera, abating after the finish line, for final decision on a disputed race. With the apparatus then in use it was not regarded as practicable to quickly develop the strip of film, but Howard was keen for the idea and got considerable press work out of a spile he prepared on the future possibilities of the pictures, including the periodic exchange of the existing camera, later adopted by the department of Agriculture. Unlike many men with ideas in advance of his day, he lives to see his dream come true.

Although there is an iron-clad agreement or understanding on the Coast that titles of pictures to be previewed must not be divulged in advance by theatres, Metro violated the rule of its own accord when it previewed its 'After Office Hours' twice within three days at the Alexander, Glendale, Calif. Sneak was pulled on a Sunday night, but audience was much too slim to give studio execs a comprehensive idea of how pic would react. Result was that on the following Tuesday night, pic was again spotted in the Alexander for a second advance screening, with house authorized to publicize the title, to offset any kickbacks that might be brought through repeat biz.

Loew is trying to duck the booking of 'Bengal Lancer' for the State on Broadway, figuring that the Par film will have exhausted its Main Stem power after its scheduled (current) two weeks at the Rialto. Pic was shunted into the latter house Friday (1) after three weeks at the Fairmount. Rialto's scale is lower than the State, which is another reason Loew now doesn't want Lancer. State has been playing second runs off of Broadway deluxes, mainly the Capitol and Paramount, but never third runs.

One reason for Lancers' curtailed run at the Par is that outlying exhibitors are clamoring for the pic.

First instance of the morality clause being pulled on a dance director, thereby terminating his contract, may be the upshot of a private cue being conducted by the offended studio into charges that the routiner had taken undue liberties in working the girls to the point of exhaustion and intruding on their privacy. Two complaints by mothers of line girls charge that their daughters had been worked far into the night after toiling all day and that the director entered the dressing room with the girls were in varying states of undress. Offer has been held before the studio heads and if charges are borne out he may suffer cancellation of his post.

While industry leaders and lobbyists lament the number of bills so far brought out in Washington, some comfort is expressed in the observation that at this session there are many other important matters to be decided that film measures may be sidetracked. Certain congressmen who, at other times, might be concentrating on anti-film bills, this year are known to be too busy to bother about the picture industry. This includes a supposed arch-enemy of the picture interests who, insiders report, will have no time at this session to try to write and argue laws affecting films.

Prominent director who ran afoul the Board of Education regulations regarding the working of juveniles far into the night, finds himself on the taboo list and denied the use of school children in his pictures until the board sees fit to lift the embargo. Action against director was taken on complaint that he worked a 9-year-old girl after 10 p.m. on a picture showing for the first at 9 p.m. School board sent an investigator to the studio, who was told off-hand that he was not welcome. Double burn called for a double dose and the ban was slapped on pronto, means the customary reprimand.

A strong front of chain theatre leaders will attend the M.P.T.O.A. convention in New Orleans the end of this month. Possibilities are that fireworks may occur on certain questions between this faction, because of its affiliated connections, and the out-and-out independent exhibitors. Virtually all of Paramount's big theatre partners-operators are going. Under an amendment to the by-laws of the M.P.T.O.A. a few years ago affiliated chains became members of the organization, thus setting it somewhat apart from its more militant rival, Allied States.

Hubert Voight, recently winding up as studio publicity director for Columbia, has picked an offer as assistant to Charlie Einfeld in Warners home office and elected to stay on the Coast in an ad contact agency. Voight, setting up his own biz, will represent chain photographers and use them for photoing names he obtains on product tieups. Combining camera and tieup is a new angle on a business that has been disastrous in Hollywood for all but a scant half dozen adventures.

Harold Smith, Paris Hays office rep, whose chief job is fighting quotas, heaves a diplomatic bouquet at French officialdom in an article in Franco-American Trade, organ of American Chamber of Commerce in France. Functionaries are always sympathetic to U. S. he says, only they don't always have the last word in making regulations.

Smith also reviews history of U. S. film biz in France in his article.

Heads of studio publicity departments, meeting under the Hays office wing, voted to endorse to smoke out the free lance p. s. who are allowing their clients to pose for the armpit, whiskey and lingerie ads. All objectionable tie-ups having been erased from studio press agency, the studio chiefs appointed a committee of three to investigate the banned ad, poses and to devise punitive methods for the violators.

First of the series of art posters to come from J. J. McCarthy's department in the Hays office are beginning to appear in the theatre lobbies in Times Square area. Many houses used them in one-sheet frames. There are six posters, taken from as many original drawings by M. Leon Bracker. They are sent out to exhibitors in this country, England and Australia, one to be pulled out each month starting with distribution in February.

Although having no exclusive contracts with Warner Bros. and Metro, the only majors which get out their own trailers—National Screen Service is getting around the necessity of them in one-sheet frames. These companies by staging scenes for the production of trailers material on such pictures.

Arbitration proceedings into the alleged contract violations by RKO as regards the leases on the east side Apollo and the Hollywood theatres, in New York, will be resumed today (Tuesday). Efforts at settlement of the matter by RKO have proved unavailing. Major Lambert of the RKO legal staff, has been in charge of the proceedings.

Major company bought a German novel and engaged three interpreters to translate the lengthy volume into English. Translators worked several weeks at a cost to the company of \$3,500 and a week before they finished their task the novel was published in English at \$2 a copy.

# 16 MM. SOUND FILM BOOM

## L. A. Clearance Sked Providing For 5c Exhibits Indicates No C. A. Aim to Squeeze Out Anybody

The Film Code Authority approved, in principal, the first clearance schedule in the United States by its action in putting an okay on the Los Angeles sked at the meeting last Thursday (31). The presence of Deputy Administrator W. P. Farnsworth from Washington was looked on by several C. A. members as being the deciding factor which swayed the Authority into a final decision.

The full attendance of the C. A. is reported to have voted 7 to 3 on this Los Angeles schedule. The official statement on the vote simply was that it was not unanimous. The sked is based on prices of admission as prepared by the L. A. zoning-and clearance board, which regulates the amount of clearance to be bought by the exhibitor and sold by the distributor in a territory covering approximately 450 theatres. It covers all of Los Angeles, San Diego, Pasadena, Alhambra and extends as far north as Bakersfield and westward to Phoenix, Ariz., and to a few small communities in western New Mexico. It applies to all smaller towns and cities in addition to those mentioned.

The Code Authority as yet has not approved all individual zones that have been set up by this authority, and on these there have been some appeals taken. In official circles, it was forecast that the zoning portion of the schedule would be approved at the C. A. session this week. With some 29 individual zones in the L. A. area alone, this portion of the schedule work may not have as smooth sailing as now appears.

The clearance schedule for L. A. will be effective as soon as an order is prepared by the Code Authority, which will be in about two weeks. It is expected that it will give clearance for the remainder of the 1935 season on the west coast.

The L. A. zoning-clearance schedule battle has been hanging fire ever since the C. A. ruled last September that any attempt to include penalties against double and triple feature billing would not be permitted. With the L. A. schedule dispute considered practically out of the way, it was officially announced that every effort would be made to rush through other schedules now pending. These include those for New Haven, Kansas City, including parts of the Boston territory, and Detroit. In addition, there are to be hearings on individual appeals from the Buffalo district.

The manner in which the Code Authority got down to facts and pushed through the L. A. clearance sked seems to indicate that more speed will be possible in getting results on pending schedules.

The Los Angeles matter went to three committee sessions and three or four meetings of the Code Authority during the present season before decisive action was taken. The confabs were stretched over a period of approximately three weeks.

But with the authority members apparently definitely committed to a definite principle on schedule matters, such delays in the future will be cut to a minimum in coming to agreements for other sections of the country. At least, C. A. members are hopeful that in disposing of part of the Los Angeles difficulties they have cracked the hardest nut.

The clearance rules as applying to L. A. and the price on which clearances are predicated follows:

Admission scale. Clearance in days

40c	20
35c	25
30c	30
25c	40
20c	49
15c	77
10c	125
5c	365

The Los Angeles five-month tug-of-war becomes immediately effective.

(Continued on page 19)

## C. A. Costs for '35

Washington, Feb. 4. Perfunctory discussions of the proposed 1935 Code Authority budget and assessment levies were indicated today when W. P. Farnsworth announced not a single request had been received to appear at the hearing tomorrow (Tuesday).

Proceedings will bring the film code under scrutiny of Hiram S. Brown, former RKO head, now acting as final budget authority for the Government. Brown will have the last word on financing. Brown's principal responsibility is to hold Code Authority expenditures to rock bottom.

## C. A. OKAY OF L. A. ENDS FOX-WC SKED PRONTO

Los Angeles, Feb. 4. Approval by the Code Authority last Thursday (31) of a price zoning schedule for Los Angeles winds up a fight that has continued since early fall. Schedule for 1934-35 was finally worked out here by the local zoning-clearance board after its original draft had been given a thumbs-down treatment because it penalized dual and triple feature bills.

Number of complaints were heard by the local board, with a few appeals being carried to the C. A., speedy disposal of which are anticipated.

The new schedule, as soon as promulgated, will automatically wipe out the Fox-West Coast protection sheet, set up by the circuit during the early part of the season, as a protection for its various runs.

## LA. ATTY GEN'L OK'S BANK NITE

Des Moines, Feb. 4.

Attorney General Edward L. Connor, in an opinion issued Jan. 28 to all Iowa county attorneys, held that the 'bank night' plan utilized by hundreds of exhibitors in the state can be so operated that it doesn't constitute a lottery, after this opinion supplement was issued by the attorney general's office just 12 days previous in which the plan was held unlawful.

The office of the attorney general now holds that when bank night is conducted in such a manner as to permit the holder of a free number or a free chance to claim and procure the prize, this does not constitute a lottery, and hence is not a law violation. 'Anyone may give away their own property in any manner they deem fit and proper and may give it away by lot, chance or otherwise. However, where the operation of the bank night plan is so conducted as to require the person holding the winning number to chance to also purchase a ticket of admission to the theatre, such practice would constitute a violation of the law, in that the holder would be required to first part with a valuable consideration before being permitted to participate in the prize drawing, the opinion states.

## INDUSTRIAL CO.'S BIGGEST MARKET

Small-Size Talker, Dormant Past Two or Three Years, Suddenly Has Bull Market

### SALES' BALLY

After being neglected as a factor in the field of big business for two or three years, the development of sound-on-film in the 16-millimeter field in the last few months has brought about a rebirth of activity for the small-size talker. The interest taken by numerous industrial companies in 16 mm. has brought a marked pick-up in sales for firms selling the small sound-projection equipment. More than 20 prominent companies now employ the 16 mm. machines, film and equipment in putting over their sales message.

The history of the small-size camera and negative in the sound field has been much the same as it was with large motion picture companies. Those interested in developing sound in this classification soon found that the use of discs was unsatisfactory for virtually the same reasons that caused their downfall in the picture industry.

But such strides have been made within the last year that now the 16 mm. equipment projects a 12-foot picture 125 feet away and can be heard easily in an auditorium seating approximately 1,200 people. This equipment retails at little more than \$700. It is practically fool-proof in operation, only requiring a person with a slight technical knowledge of motion picture operation. No union operators have been required to date. The negative used is rated as non-inflammable.

Technically, the equipment is much the same as the standard talking apparatus but on a miniature scale. A direct lighting system is employed and this provides 500 to 750 watts of illumination. The film is power driven, the machine has a mechanical filter and it has nearly all the many refinements known to sound films.

Not such great strides have been made in the line of perfecting a camera for taking 16 mm. talking pictures. RCA has probably been most successful. It now has a sound camera for these smaller pictures that retails for \$250. This is known as the newtype type and enables the cameraman only to talk

(Continued on page 48)

## See New Film C. A. Rules to Insure Diligent Attendance at Code Meets

There is reason to believe that at some future date the film Code Authority will have to consider the enactment of a specific rule which will definitely establish the responsibility of C. A. members to serve on the code, when and as required, and also on the local boards. Some rule will be adopted to provide for the definite attendance of local board chairmen, as when designated to do so. This probably will be achieved by establishing a definite responsibility upon the company and exhibitor members of the code to fulfill their required duties under the code for the operation of same.

Permanent chairmen of the local boards will likely be suggested as among the remedies.

The professional chairman idea may be even further proposed to

## 62 Impartial Members on Various Grief Boards Being Circularized With a View to Code Revisions

### Dan Kelly Named to H'wood Extras Board

Hollywood, Feb. 4.

Code Authority has named Dan Kelly, Universal casting director, to the standing committee for extras, taking over the duties of Ben Piazza, who resigned due to pressure of biz in his executive spot at Paramount.

Appointment automatically plants him in the complaint and grievance committee.

## ALLEGED EXTRAS CUT-RATING; TRUCED

Hollywood, Feb. 4.

Concocted action by three Hollywood agencies cleared up a troublesome situation at Paramount in which charges of code violation were hurled by extras assigned to 'The Crusades.' Furor was generated when Par attempted to hire the day workers on a flat weekly scale of \$25.

When it was pointed out that this was a breach of the NIRA, studio execs stated they were within their rights as the code made no provisions for weekly pay to the day workers. It was brought out that the situation is not new, that it had been invoked before without protest.

Extras burned when Par is said to have warned them that if they refused the work, colleagues would be called in. They took their plaint to Central Casting, the Code Authority office here and the Screen Actors' Guild. In a meeting with Par officials the fracas was quieted and all willing hands went back to work, some getting \$50 weekly and others a straight \$75-8 a day.

Par's defense against the day-to-day employment on 'The Crusades' set was that the armor is tailored to the individual and that it was necessary to insure their appearance for the possible 10 weeks run of the production. Plate weighs around 90 pounds.

## See New Film C. A. Rules to Insure Diligent Attendance at Code Meets

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Permanent chairmen of the local boards will likely be suggested as among the remedies.

The professional chairman idea may be even further proposed to apply to special meetings of the Code Authority in New York. It would be the duty of the C. A. to promulgate rules, under such possible remedies, that would make it incumbent absolutely upon company members and others to definitely fulfill their professional code assignments, as required. Under such conditions, it is expected that the companies, particularly, will be provided to designate certain employees or some individual whose principal duty will be to perform the code jobs required in such member's behalf. It is general trade knowledge that extreme difficulty is experienced on many occasions to get the proper individuals to sit on the Code Authority meetings or even on the local boards. Certain members of the Code Authority are known to have attended only as few as two sessions out of a possible 36 or more.

Revision of the film code appears to be under way. The 62 impartial members of the various grievance boards are being canvassed by letter for the purpose of obtaining their views with regard to possible changes and improvements in the code.

Such action is taken as an indication of the intent of the Government to continue the code and to have the code extend beyond the present expiration date this coming summer. Appropriate legislation for the continuance of the code generally is expected by observers to come up in Congress during the current session and to be adopted.

These questionnaires to the impartial members of the code have gone out under the direction of Executive Secretary John C. Flinn, of the film code authority. The 62 members who are being circularized are expected to provide the cross-section of authoritative lay observation possible, as well as from the standpoint of those who are actually engaged in the supervision of the code operation.

Undoubtedly after consideration by the film Code Authority, in New York, many of the matters which will be sent in by those circularized, may be turned over to Washington.

It is surmised that in this manner the operators of the Code Authority can achieve a blanket viewpoint as to value and the consequences of the code from an impartial standpoint. This could serve as guidance for whatever possible necessary revisions in the code rules may be deemed later.

## Threaten Code Revolt in Wis. Over Bank Nite

Milwaukee, Feb. 4.

Open warfare on the Fox-Wisconsin Amusement Enterprises' policy of "bank night" has been declared by the Independent Theatre Protective Association (combination of Allied and MPTO) which threaten to "bust the code wide open."

The independents have announced that unless the code authorities or officials of the state do something about bank night before Wednesday (6) they will "bust the code wide open" and will go back into giveaways, amateur nights, grocery nights, and every other "business puller."

The independents have also asked for clearing up of the present zoning and clearance muddle, giving exchanges until Thursday (7) to give them some "light."

## BERNSTEIN PLUGS GAP ON L. A. ZONING BOARD

Los Angeles, Feb. 4.

After months of delay, code authority finally got around to filling a vacancy on the Los Angeles zoning and clearance board that had existed over that period through the retirement of Russell Rogers. Ben Bernstein, who was transferred from the local grievance board to the z-c-tribunal, with Robert Whitson, indie operator, named to replace on the grievance board.

Code authority has previously refused to approve William Knott, Covina indie, for the vacant z-c spot, due to objections raised by the Independent Theatre Owners of So. Cal.







## Biz Bad, Roxy-Mastbaum Cuts Scale, 'Red Hot Tires,' Earle, Philly, \$14,000

Philadelphia, Feb. 4. Plenty of hold-over films in the downtown section this week and indications are that biz as a whole will take a drop accordingly. Roxy-Mastbaum has reduced its price scale decidedly with the new scale calling for 50¢ to one dollar, and 55 and 65 in the evenings. Current bill includes 'Wings in the Dark' on the screen and a Roxy stage show that won higher praise from the critics than any he has shown here in Philly yet. Attendance hasn't been anything like a prize home about, the out-of-the-way location of the theatre probably hurting plenty during these show days. 'Chances' and 'Red Hot Tires' are the main attractions. Roxy-Mastbaum's first week with its new scale and following its switch from a Monday to a Tuesday opening, won't gross anything over \$25,000.

On Thursday show will get its first name since its re-opening. Name is Jack Benny and if he fares as well here as he has been in the big hit 'White Cockatoo' at Market street may get a new lease of life.

**Estimates for This Week**  
Aldine (1,200; 35-45-55)—'Clive of India' (UA). Critic compared it unfavorably to 'Bengal Lancer' but Colman following helped. Will probably get a third week. Last week \$19,200.

Arcadia (800; 25-35-40)—'For-saking All Others' (MG). Second week. Last week \$18,300. Earle (2,000; 25-35-40)—'Red Hot Tires' (FN) and vaude. House not doing so very well these days. May be \$14,000 for the week ending Monday. 'I've Been Around' (U) and vaude. Just over \$15,000.

Boyd (3,000; 25-35-45)—'Under Pressure' (Fox) and stage show. Ought to get \$15,000. Last week Charlie Chan in Paris' (UA) and stage show. Weekday \$13,000.

Karlton (1,000; 25-35-40)—'Grand Old Lady' (Col). Luck if it gets \$15,000. Last week 'White Cockatoo' (WB). Pretty poor, \$2,600. Keith's (2,000; 30-40-50)—'Mighty Barnum' (UA). Ought to get \$15,000. Last week 'Right to Live' (WB). Fair, \$2,500.

Roxy-Mastbaum (4,000; 40-55-65)—'Wings in the Dark' (UA) and stage show. Opened Thursday with reduced price scale. May get \$25,000. Last week 'Chances' (Par) and stage show. Four extra days weren't so hot. Not over \$15,000 for half week.

Stanley (3,700; 25-40-55)—'Lives of a Bengal Lancer' (Par). Word-of-mouth helping plenty. In for third week and ought to get \$11,000. Last week gave it over \$10,000. Stanton (1,700; 35-40-50)—'Baboo' (Fox). Ought to get \$15,000. Last week \$15,000 or a little better. Last week 'Silver Streak' (Radio). A not so hot, \$4,800.

## 'COPPERFIELD' HEADED FOR \$12,000, OMAHA

Omaha, Feb. 4. World Theatre continues its string of extra-run pictures. 'David Copperfield' is the last of the line before the houses close for repairs. 'Copperfield' broke in Friday (1) to stay till Monday (4). Following that the name gets changed to 'Omaha' with a new marquee, new chairs, enlarged lobby and other renovations.

Brandeis is giving extra plug to 'Silver Streak' and 'Romance in Manhattan.' The latter, a local country's leading railroad center, Omaha probably is one of the best in country for the screening, and the theatre is showing the most of it. Opening started heavy.

Current week is last town with a lot for some time. Showing as far as Par opens next Friday (8) with 'Continental Revue' on the stage for a full week. After that it'll be at least three days more. Following a vaude and picture bill; other days double features.

Last week was acceptable all around, but nothing extra.

**Estimates for This Week**  
World (Blank-Tri-State) (2,100; 25-40)—'Copperfield' (MG) and 'March of Time' (WB). 'Copperfield' has been a fair ahead of film, starting everything off to advantage. In for eleven days. Last week \$12,000 net.

Following this the house goes dark for renovating. Last week 'Bengal Lancers' (Par) took a good showing, then went over only fair when normal temperatures came back. Ten days and a haul for \$11,000.

the bulk of the advertising office's attention. Certain to be \$10,000, and may do better. Last week 'Gilded Lily' (Par) was strong enough to draw the fans in for the week 'Gambling' (Fox), twin feature. Good at \$15,000.

Roxy-Mastbaum (4,000; 1,200; 25-35-40)—'Silver Streak' (Radio) and 'Romance in Manhattan' (Radio). Railroad picture a new one this train center. Other picture doing its share, too. Likely \$5,000. Last week 'Grand Old Lady' (Col) and 'I've Been Around' (U) \$5,000 with 'West of the Pecos' (Radio) as the other half of bill.

## JACK BENNY'S RECORD 23G WOVES BALTO

Baltimore, Feb. 4. Splendid weather, which blessed the Balto burghers over the week-end, coupled with three staple attractions on tap at as many loop first-runners, are the factors lending their aid in the allying big that the big hit 'White Cockatoo' at three of the burgh's loop houses.

The vaudein Hippodrome hops to the top of the film and stage show will establish a new high gross of \$23,000. Jack Benny, headlining the show, is the lure, the picture, 'White Cockatoo' is pleasant enough, but mild. The house held six shows on Saturday, and has expanded its schedule on Sunday today (Monday). Remaining days of session will play five; customarily the theatre holds to the standard four shows daily. Fact that Benny was away on Sunday hurt some, but he had run up such a lead on two opening days, and is a cinch to continue the pounding pace he has established, that, notwithstanding his absence of a day, he will get a new high gross and attendance record.

Customers are lined up for a block constantly. The opish vaudein stand, Century, is doing plenty all right for itself, also. The Rooney and the 'White Cockatoo' are the main attractions on the screen has the burgher. Pleasantly filled houses all around, with prospects pointing to a hefty \$19,500. The initial 'March of Time' reel is also being shown at the house, and is helping rather, and is a cinch to continue the pounding pace he has established, that, notwithstanding his absence of a day, he will get a new high gross and attendance record.

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and stage show. Sprinting strongly toward \$115,000. Last week 'Copperfield' (MG) and acts, shattering \$21,500.

Hippodrome (Rappaport) (2,500; 15-25-35-45-55-65)—'Carnival' (Col) and Jack Benny on stage. Packed houses since the bark of the star's name, the slump, but not as great as might have been expected, on Sunday, when Benny and Mary Livingston went to N. Y.

Radio (2,500; 15-25-35-45-55-65)—'Carnival' (Col) and Jack Benny on stage. Packed houses since the bark of the star's name, the slump, but not as great as might have been expected, on Sunday, when Benny and Mary Livingston went to N. Y.

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## Pitt Cuh-ra-zy with Stage Shows And Cut Scales, Town Very Lively

Pittsburgh, Feb. 4. Barnum and Bailey's will have to give up its billing of greatest show on earth to the new 'Merry-Go-Round' (UA). Will skin by at \$8,000. Last week 'Man Who Reclaimed' (UA) and 'Hutton' (WB) and 'Warfield' (F-WC) (2,548; 35-40-55)—'Gilded Lily' (Par) and Bill Robinson on stage. Should get big \$23,000. Last week 'David Copperfield' (MG) disappointing but safe, at \$20,000.

## 'COPPERFIELD' DENVER HAM, \$11,000

Denver, Feb. 4. 'David Copperfield' is coping Denver's biggest chunk of amusement. Running in a rather lethargic box office market.

**Estimates for This Week**  
Aldine (Huffman) (1,500; 25-35-50)—'Right to Live' (WB). Around \$1,500, not good. Last week 'Evergreen' (B-G), the third of their films, did only fair, closing with \$1,750.

Denham (Cooper) (1,500; 25-35-50)—'Lives of a Bengal Lancer' (Par). Running in a rather lethargic box office market. Last week \$1,750.

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# BIG ANTI-NATAN ATTACK

## Mex Exhibs in Panic as Yank Walkout Nears

Mexico City, Feb. 1.  
Threat of American distributors to quit Mexico unless government acts toward reduction of duties on films, discs, etc., and domestic imports, has exhibitors and organized cinema employees running, and talking in circles. Exhibitors and their help are certain that Mexico will be cinemaland by Feb. 18, the date distributors have set as the zero hour for suspending pic supply.

Employees' confabs adopted resolutions demanding government appropriation of cinemas and their operation as co-ops by workers, and free imports of European productions, particularly French, German and Russian, which they figure customers here will like. American pic and their makers came in for plenty of knocking, along the same old lines, by radical speakers at the workers' confabs.

Exhibitors talked a little at their meet, then named a delegation to ask the finance ministry to do something about the matter of cutting duties and eliminating some taxes that burden distributors. Ministry took the case under advisement.

In the middle of the hubbub about what may happen to Mexico in a pic-way, the finance ministry issued a statement in which it said that it cannot understand why American distributors are so excited. Ministry said that no taxes which affect distributors have been enacted for some time, last summer, to be exact, and that it figures distributors are panicked by the regulation that exhibitors deduct 5% of amounts they owe for rentals and pass it over to the government instead of to the distributors, a system that is part of the tax collection methods down here. Distributors, of course, ministry explains, are credited with the 5% on their import payments.

Some look for a satisfactory settlement of the tangle early in February.

## KORDA DROPS GEORGE V. PIC

London, Jan. 26.  
Now officially stated that, owing to technical difficulties, production of the jubilee film, "The Reign of King George V," written by Winston Churchill, has been abandoned. It was to have been written by London Films under the supervision of Alexander Korda.

Pathe Pictures, Ltd., has secured the services of Sir Austen Chamberlain and John Dalkwater to collaborate in assembling a jubilee film from its extensive morgue, which will definitely be released May 6. It will be titled "Twenty-five Years of King George V." Associated British Film Distributors will also release "The Soul of a Nation," which will be available for week of May 6.

Gaumont-British News is also announcing a King George jubilee film as a free gift to its subscribers for use during jubilee week.

## U. S.-Brazil Peace

Washington, Feb. 4.  
Brazilian-American trade treaty signed by President Roosevelt Saturday (2) guarantees that the South American nation will not, during the life of the pact, boost the existing tariff rates on American films.

Fact reads the same way vice versa.

## ANZAC QUOTA DUE

Final Decision Likely When Parliament Meets

Sydney, Jan. 10.  
Understood that the quota thing will be settled finally when parliament goes into session in two weeks. Believed that fight will be short and bitter, but quota for exhib and district will undoubtedly go through. Local producers are already kicking at the delay and say they want action as quickly as possible. They say that plenty of ready cash is waiting to go into the flotation of new companies as soon as government makes up its mind.

## Para. Does Not Know How to Get Its German Money

Paris, Jan. 25.  
Toughest problem facing Fred W. Lange, Paramount Europe's chief, on his return here from the United States, is the German situation, he admitted on his arrival. Para's pictures there are making a lot of money, but not a penny of it can be taken out of the country.

Situation can't be cleared up by closing the offices and stopping release of pictures, he says, because that would mean starting from scratch again if the situation ever changed. Meanwhile, however, no new Paramount cash is going into the country—just prints, which are piling up an inaccessible credit balance inside the frontiers.

Lange expressed scepticism over attempts by other companies to get their coin through by buying German product for release in France, and charging French grosses against the balance remaining in Germany. Doesn't think this can be done consistently largely because not enough German films can be bought for profitable exportation. Anyway, it amounts to too much haggling and worrying, he thinks.

Lange expressed optimism as to the prospects for European markets in general. Said Paramount will release eight French movies here this year, to aid sales of the American product, but believes they'll all be indie products, rather than Paramount made, because the indies can do them cheaper.

## PARIS INDIE DISTRBOS ORGANIZE; THREE AMERICAN FIRMS ON BOARD

Paramount, Fox and Metro Join with Frenchmen—  
Exhibit Angle and Chambre Syndicale Matter  
Not Figured Out Yet

Paris, Jan. 26.  
That new independent distributors' association, including the American concerns, was finally formed here at a meeting in the Royal Monceau hotel, and three American firms—Paramount, Fox and Metro—won seats on the board of directors.

Meeting started by M. Loraux of Tobis as a fight on French booking combines and now becomes a concrete reality, with Franco-American cooperation. Yanks thus re-enter a French trade association for the first time since they left the Chambre Syndicale over the quota fight.

Seven out of projected 10 members of the directing board were named: Loraux, Henri Klandorff (Par), Lafont (Fox), Stein (MG), Marcel Sprecher, M. Ratisbonne and Schwob d'Hericourt, latter three indie distributors.

Klarfeld is the only local chief

## ENEMIES OF P-N HEAD GANG UP

Political, Journalistic and  
and Trade Antagonists in  
Gigantic Putsch—But Na-  
tatan Is Still France's Head  
Film Man

## SUSPENDS PRODUCTION

Paris, Feb. 4.  
Pathe-Natan has suspended all production for three months. Convinced with recent dismissal of 48 studio and newsreel employees, including half of the reel's camera crews and its news editor, the move marks a serious retrenchment on the part of the leading French producer and throws the local output more completely than ever into the hands of small independents, as far as production is concerned.

Move coincides with a terrific local renewal of the campaign against Bernard Natan, head of the Pathe-Natan concern. During the past few weeks his enemies in political, newspaper and trade circles have been roaring more violently than ever, but Natan is still, at the present writing, sitting pretty. Despite his temporary halt as a producer, his activities as a distributor, (Continued on page 68)

## Par Now Has 'Bengal' in All British Possessions

Paramount is doing an exceptional rush job of "Bengal Lancer" around the world. Picture has already opened in all three important British territories, getting first showing last week in London, Calcutta and Sydney.

Par's idea is that the film is hot for that part of the world and couldn't wait for the coin rolling in pronto. Calcutta was chosen especially by the company because of the film's subject matter and opinion that Hollywood never is in the mood to make a picture about the world to local subjects on the screen, but opening went off well.

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## Censorship Gets Tougher All Over Europe; France Chews 'World Moves'

## GARGANOFF BACK

Coming to U. V. in April to Prepare  
For N. A. English Versions

Paris, Jan. 26.  
Leon Garganoff, producer of "Battle," plans a new trip to the United States in April to arrange for first of English versions he is to make for United Artists. Meanwhile he is going ahead with plans for a picture, title unannounced, in French version only.

Making English version for American market is too tough on Garganoff, to be tackled lightly-hearted and without full preparation. He doesn't want to go off half prepared.

Producer is negotiating with some American directors, actors and technicians to come here, but hasn't closed with anyone.

## MAXWELL'S BID FOR G-B'S G. T.

London, Jan. 26.

John Maxwell is understood to have made a definite offer on behalf of Associated British Picture Corporation (A.B.P. subsidiary) for General Theatres Corporation preference shares. Terms of the offer are said to be an exchange of five General Theatres' preference shares for two Associated British Picture 5% preference shares.

Idea, according to report, is to reduce the interest on the General Theatres debenture stock from 4½% to 3½% with a 1½% sinking fund, both interest and sinking fund to carry Associated-British guarantee.

Corporation is further to have the right to reissue debentures that have been redeemed, to the extent of \$1,500,000, increasing the amount from \$3,750,000 to over \$10,000,000, with which to repay the loan to Gaumont-British.

Before such a deal could be consummated the proposal would have to be acceptable to 80% of General Theatres preference shareholders.

## PARIS INDIE DISTRBOS ORGANIZE; THREE AMERICAN FIRMS ON BOARD

Paramount, Fox and Metro Join with Frenchmen—  
Exhibit Angle and Chambre Syndicale Matter  
Not Figured Out Yet

Paris, Jan. 26.

Pierre Colombier, French director, is ogling Hollywood production technique. Under contract to Pathe-Natan, he's mixing biz with pleasure on his first vacation in six years.

He is the mate of Florence Walton, the dancer.

## 'Widow' in Paris

Paris, Jan. 26.  
Metro's Madeleine cinema is dropping its grind policy for "Merry Widow" (MG) which follows Tarzan and his Mate's there. Picture will be shown only once an evening, show beginning at 9.15 and seats being bookable in advance.

Matinee remains continuous, however, from 1 p.m. to 8 p.m. Week-day matinee prices will be 80c. and up and nights, as Sunday matinee will start at 11 and rise to \$1.00 top.

Paris, Jan. 26.  
Fox is the latest American company to feel heavy hand of French censor. Before "World Moves On" could be shown at the Marignan here, all scenes indicating that war is a disastrous adventure had to be cut, and film was presented in completely mutilated version.

Firm made three appeals to censor board, but finally had to comply with the slashing orders. Didn't make any attempt to go over the board's head, because it hasn't had much trouble for some time, and figured it might just as well take its medicine this time without too much squawking. Kick against film did not originate with censorship board, but with an important Government department.

Meanwhile "Heroes For Sale" (WB) remains under a ban for similar reasons. Police in this case kicked at riot scenes. Warner's protesting, was told it might show the film without French subtitles, if it liked, but in this form it would be unintelligible to the public, and the firm refused.

Situation is symptomatic of increasingly tough censorship situation all over Europe, with which France, in most things freer than other continental countries, is to some extent falling in line. It is tough anywhere in Europe to get permission to show a picture which might arouse violent pacifism or other revolutionary tendencies. War is a particularly delicate subject. Even war between kid gangs shown in "No Greater Glory" (Col) barely (Continued on page 68)

## ITALY TAKES OVER PIC BIZ

Rome, Jan. 24.

At meeting of the Council of Ministers at the Palazzo Venezia, under the presidency of Mussolini, it was decided to pass measures authorizing LUCE, national film cinema, to take over shares in all cinema companies.

Object of this measure is to make it possible for LUCE to act in the economic and commercial fields of production and renting of films and management of cinema theatres. Main idea is raising national production to a higher degree both from the standpoint of propaganda and revenue.

## Paris Premiere of 'Dictator' Swank, But Pic Lukewarm

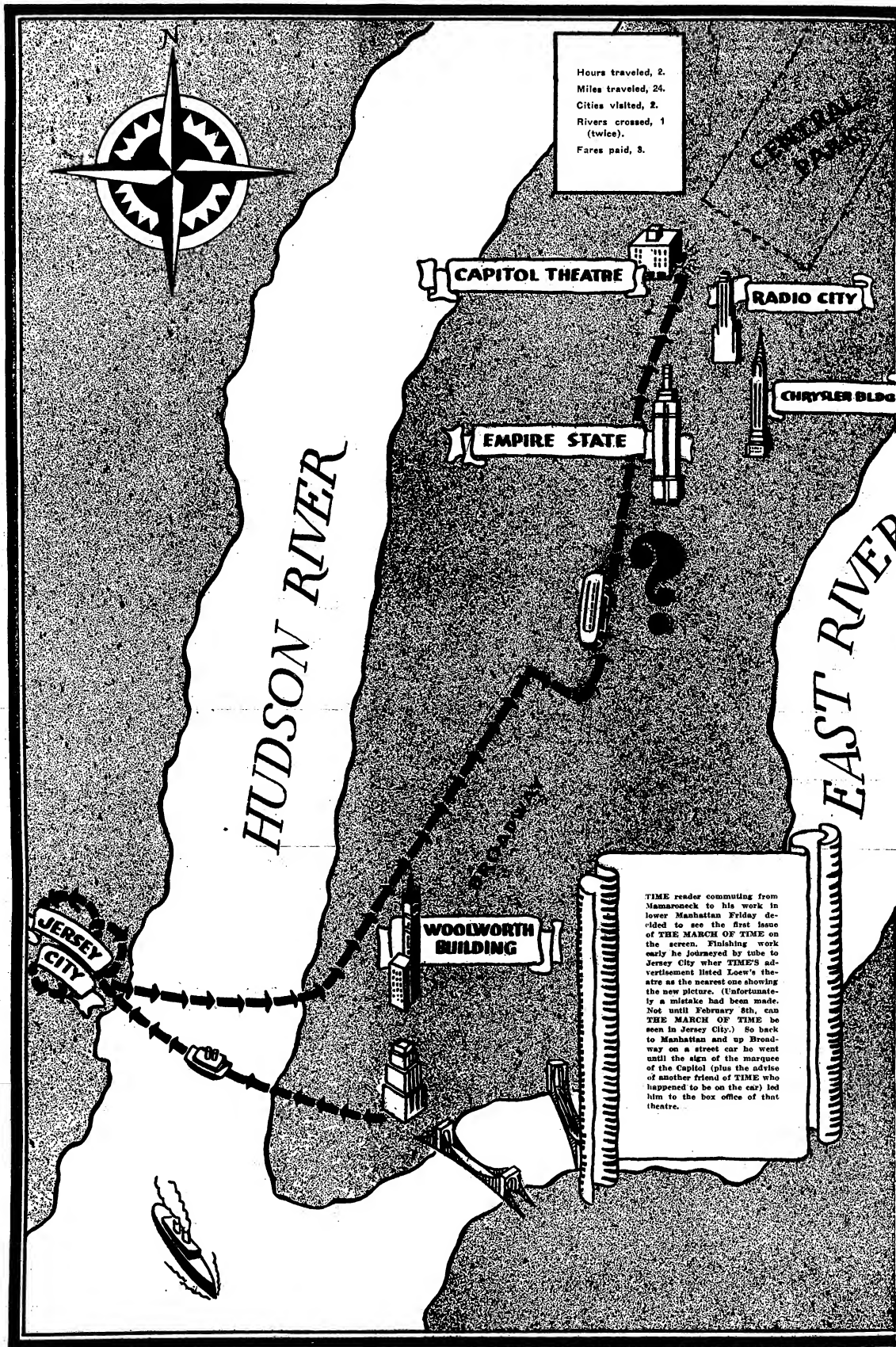
Paris, Feb. 4.  
World premiere of "The Dictator" first Troopitz production starring Olive Brook, was held here at the Ermitage Champs-Elysees Friday night (1). It was the swankiest film event of the season here with the American and British ambassadors and embassy attaches attending, also local society. Film is the most lavish costume picture ever made in England and is extra rich pictorially but weak emotionally. Reception was admiring but lukewarm.

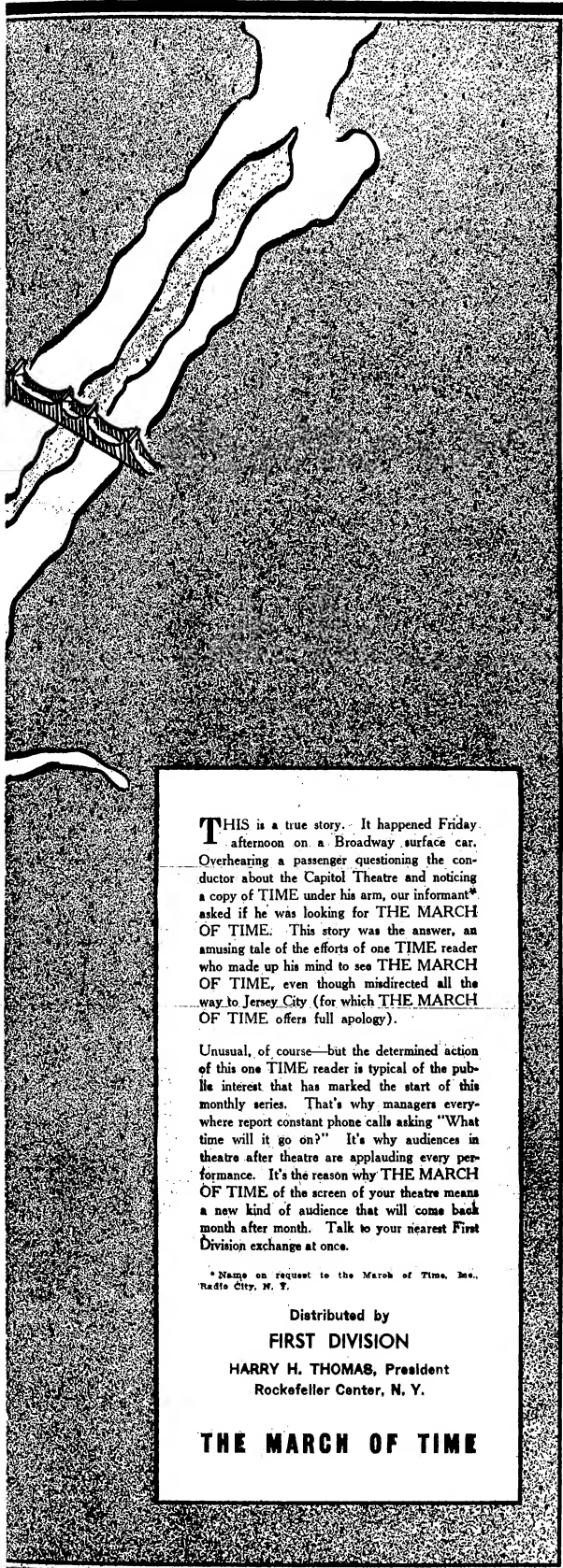
## Spanish Pair Departs

Hollywood, Feb. 4.  
Martinez Sierra, Spanish novelist and contract writer for Fox, and his wife, Catalina Barrena, Spanish painter, left here Friday (1) for a six-months' vacation in Spain and Morocco.

Pair is to return to Fox in the fall for Spanish productions.







**T**HIS is a true story. It happened Friday afternoon on a Broadway surface car. Overhearing a passenger questioning the conductor about the Capitol Theatre and noticing a copy of *TIME* under his arm, our informant\* asked if he was looking for *THE MARCH OF TIME*. This story was the answer, an amusing tale of the efforts of one *TIME* reader who made up his mind to see *THE MARCH OF TIME*, even though misdirected all the way to Jersey City (for which *THE MARCH OF TIME* offers full apology).

Unusual, of course—but the determined action of this one *TIME* reader is typical of the public interest that has marked the start of this monthly series. That's why managers everywhere report constant phone calls asking "What time will it go on?" It's why audiences in theatre after theatre are applauding every performance. It's the reason why *THE MARCH OF TIME* of the screen of your theatre means a new kind of audience that will come back month after month. Talk to your nearest First Division exchange at once.

\* Name on request to the March of Time, Inc., Radio City, N. Y.

Distributed by  
**FIRST DIVISION**  
HARRY H. THOMAS, President  
Rockefeller Center, N. Y.

**THE MARCH OF TIME**



Underwood & Underwood.

Scout for Congress at the Washington premiere of the *March of Time* was Col. Edwin Halsey, Secretary of the United States Senate



Underwood & Underwood.

Soviet Ambassador Alexander Troyanovsky and Boris Skvirsky, counselor of the Soviet Embassy, also at the Washington premiere, viewed *March of Time* and its analysis of the Pacific situation



Underwood & Underwood.

Other figures prominent in social and diplomatic circles included Mme. Sze, wife of the Chinese Minister, Dr. Alfred Sze, with their daughters, Misses Julia and Alice, and nephew, Wilbur Sze

## REVIEWS FROM COAST TO COAST

**NEW YORK HERALD TRIBUNE:** This feature should prove popular for it is lively...current and brief.

**WILLIAM BOEHNEL IN NEW YORK WORLD-TELEGRAM:** It is...a comprehensive pictorial record that shows why and how things happen, as well as the climax.

**ELSIE FINN IN PHILADELPHIA RECORD:** March of Time entertains as it informs. The camera work, editing and selection of material promise much for the future of this new type of picture.

**BALTIMORE MORNING SUN:** At first sight The March of Time seems to be a revolutionary movement in the newsreel field...The first reel offered humor, satire, pathos...At the end there was applause.

**W. WARD MARSH IN CLEVELAND PLAIN DEALER:** First issue of The March of Time...urgently recommended.

**CHICAGO DAILY TRIBUNE:** An engrossing and "different" news rhapsody...You really won't be in the swim...if you don't see The March of Time each month.

**DOUGLAS HAWLEY IN DALLAS TIMES HERALD:** March of Time is keenly interesting and the audience liked it.

**HAROLD HUNT IN PORTLAND'S OREGON DAILY JOURNAL:**...Could be stretched profitably into twice or three times its present length. Here's hoping it will become a weekly event.

**PHILLIP K. SCHEUER IN LOS ANGELES TIMES:**...The first issue is...an interesting compendium of topics from the month's news.





# TOPS 'EM ALL

## THE IRON DUKE

**NEW YORK** "Radio City Music Hall—Arless starrer gets Hall back to more comfortable position than it's been last two weeks. (Last week's blizzard no help to biz: the worst since '88) \$70,000. Strictly okay."—*VARIETY*

**BOSTON** RKO Memorial—substantial \$12,000. (Suburban roads just being uncovered after record-breaking blizzard.)—*VARIETY*

## EVERGREEN

**LOS ANGELES** 4-star—"Gross; \$4,750. (Average \$3,250)"—*M. P. DAILY*

United Artists—"Gross; \$4,000. (Average \$3,500)"—*M. P. DAILY*

## CHU CHIN CHOW

**BUFFALO** Lafayette—"topped average by \$1,000 Zero temperature."—*M. P. DAILY*

**CHICAGO** McVickers—"Life saver for house. Gross \$10,000. (Average \$9,000.)"—*VARIETY*

## MAN OF ARAN

**NEWARK** Little, Arty House—"2G, Good. Going good. Expects \$2,000, which will be swell."—*VARIETY*

**BOSTON** Fine Arts—"Breaking house records. Going into fifth week. Good for another month's run."—*FILM DAILY*

## POWER

**MINNEAPOLIS** World—"Severest cold in 22 years. They liked this one here."—*VARIETY*

**CHICAGO** McVickers—"Big \$13,000. Excellent notices. Making a handsome box-office return."—*VARIETY*

TOPS 'EM ALL



### PRODUCTIONS

PHYSICAL DISTRIBUTION • FOX EXCHANGES • CANADA, REGAL FILMS, LTD.

**DOWN BY THE RIVER**  
 Lyrics by LORENZ HART  
 Music by RICHARD RODGERS

**IT'S EASY TO REMEMBER**  
 Lyrics by LORENZ HART  
 Music by RICHARD RODGERS

**SOON**  
 Lyrics by LORENZ HART  
 Music by RICHARD RODGERS

**Bing  
Sings**

Hear Bing Crosby introduce three  
 song hits from Paramount's

# "MISSISSIPPI"

Directed by Edward Sutherland . . . starring

**BING CROSBY, W. C. FIELDS, JOAN BENNETT**

Music and Lyrics by Richard Rodgers and Lorenz Hart.

*Tune in*

**TUESDAY NIGHT, FEBRUARY 12th**

Columbia Broadcasting System . . . 9 P.M.—Eastern Standard Time . . . 8 P.M.—  
 Central Standard Time . . . 7 P.M.—Mountain Time . . . 6 P.M.—Pacific Coast Time.  
 The Woodbury Program



# MUSIC HALL, N. Y.

Leon Leonoff makes use of an obvious idea in obvious fashion, but gets pleasant results from a presentation which is, in the present, the lines of other recent M. H. presentations. He calls this one "Contrast," with four sections labeled "Sacred and Profane," "Blonde and Brunette," "Sublime and Ridiculous" and "Night and Day."

The first appears with the Glee Club, in surprise and awe, singing a song and air. The second, a group whose heart is pierced with swords. The other extreme is Jan Pearce singing a "Mephisto" song from "Faust" on the back of a silver stag, with the chorus back in the almost inevitable white-lined Inverness coat. It might as well have been some time to advertise "The Glee Club" will not wear its overcoats the night. It is a very good idea. Still it's effective singing and interestingly staged.

The blondes and brunettes are the stars, with a group of girls in dark hair going modern in red skirts and lilac waists. After they go through the motions, the blondes are in for some dancing. The girls wear red skirts and lilac waists, reversing the color scheme. The back drop changes, with the girls in white, which can be reversed to give them shades their own particular backing. Tough on the blondes to have to write the same song, and kick up their heels in precision work, though they get an all too brief opportunity to show their skill in doing right by their Rockettes.

In the third segment the sublime is a ballet dance, with Nick Deane and a dancer in a costume, a coloratura solo. Well, good, but rather ordinary. Set is the revolution, and the girls turn to reveal six men of the ballet corps in a burlesque dance suggestive of the Runaway Four; tramp music and tattered clothing. The burlesque on the dying swan is more suggestive of Joe Penner's swan. For the time being, the swan is shot in the posterior. It's the only comedy in the bill and not particularly funny.

Finale opens with the Glee Club (without the chorus) singing "Night and Day" in the half hour, and some of the girls in slinky, black, close-fitting gowns against half a dozen silver hoops. Others are in some sort of evening dress, and a red headed dancer to out write the other moderns. She's more suggestive of the "Runaway Four" than a tableau, with the remainder of the girls doing semi-nudes very effectively.

Performance is announced by Albus, the robot which has been seen around before. Not a very good presentation. The remainder of the show is the newswall, a two-reeler on the Saar, and the feature, "The Good Girl" (U). Business excellent. *Chas.*

# Roxy-Matbaum, Phila.

Philadelphia, Jan. 31. This is a typical production at this house, reported by Roxy about eight weeks ago. Openings are scheduled for Mondays have low house, and a few five Thursdays and Fridays, conforming with other theatre changing lines.

Myrna Loy's "Wings in the Dark" (Far) is the attraction, with the plus attraction, another very magnificent. Stage work is greeted warmly because it offers the best produced and costumed job so far. The singer is a nicely felt impression of "Faust" with aria solo, rendered by Irene Singer, soprano; Helfenstein Merson, bass; and Lee Sherman, tenor. The selection is familiar, and a 55-piece pit band renders a nicely felt interpretation. Harold Anderson, bass, and Adolph Korpsman are credited with conducting and arrangement. The singer, with a nicely felt warbling. In the duet spot is the ballet corps under Von Gröna's direction. The group, with a nicely felt footed, lacking distinctive grace, is expected from the chesapeake. The group, with a nicely felt footed, lacking distinctive grace, is expected from the chesapeake. The group, with a nicely felt footed, lacking distinctive grace, is expected from the chesapeake.

Newswall breaks the stage offering, cueing the Rockettes who deliver from the usual precision routine with a touch of "tremblant." They're white costumed against a black drop in full and are an impressive sight. The unit is a large one and toponch in footwork, molding into a line, the better each will be a chance is slightly slow. It's a change from the expected.

"Blue Moon Fantasy" introduces Ruth Carhart, a contralto who has been singing on local WCAU in the student body. She's a change from the expected. Carhart is staged behind a transparent frosted drop and in the title tune with solo. Lighting turns from good to bad when she

second chorus brings on the ballet for background. They're unnecessary, too. Proceeds to a "Wealthy Widow" is a lyric writer's dream, beside good on the optics. It's a strict interpretation of this novelty tune, following the story of the lyric closely. Quartet does an adapted introduction in front of curtains which disclude the back of the five stair set topped by an elaborate throne. Here the wealthy widow is seen, serenaded by two balustrade flanks, a chorus boy in a vocal. Belle Flower handles the femme assignment and does well in the story of the lyric, with applause with an eccentric dance and is followed by the Rockettes in a very good, but they're assisted by tricky-tuxedo-costuming. The ballet, up from the rear, redeem themselves with a stately novelty and believe the black color, with bright red and gold. Finale was the nearest piece of staging seen here in many days.

Price scale has been cut this week and business is picking. Next time, the house will be the first one to bill a name, Johnny Benny. *Gosch.*

# CHICAGO

Chicago, Feb. 2. From every viewpoint one of the nearest stage aggregations turned out in this house in many moons. The show, which is a very good one, all combine to make it a very good one. The show, which is a very good one, all combine to make it a very good one. The show, which is a very good one, all combine to make it a very good one.

Boles has every reason to be regarded as box office on the results of previous showings in the Midwest. In the audience gurgled when he made his entrance. He makes a good appearance and is a good one. The show, which is a very good one, all combine to make it a very good one. The show, which is a very good one, all combine to make it a very good one.

Other singer on the bill is Sylvia Froos, another song in the excellent. The show, which is a very good one, all combine to make it a very good one. The show, which is a very good one, all combine to make it a very good one.

And then there's Bob Riva, a top singer, with a very good one. The show, which is a very good one, all combine to make it a very good one. The show, which is a very good one, all combine to make it a very good one.

Fred Evans line of girls again delivers a very good one. The show, which is a very good one, all combine to make it a very good one. The show, which is a very good one, all combine to make it a very good one.

# ROXY, N. Y.

A unit of conventional design and a very good one. The show, which is a very good one, all combine to make it a very good one. The show, which is a very good one, all combine to make it a very good one.

Buck and Bubbles still aren't grown up. Somehow or other they still look and act like kids, seemingly much older than when they were. The show, which is a very good one, all combine to make it a very good one. The show, which is a very good one, all combine to make it a very good one.

David Lawrence, bartonne, gets a generous and effective production. The show, which is a very good one, all combine to make it a very good one. The show, which is a very good one, all combine to make it a very good one.

A highly entertaining session, though it had been with John Lutz, winner of Fred Allen's recent amateur radio contest, who is brought on by Buck and Bubbles. The show, which is a very good one, all combine to make it a very good one. The show, which is a very good one, all combine to make it a very good one.

# REX, PARIS

Two out of three acts at the Rex this fortnight are American—Albert Brackley, a tragedy actor, and Mackie and Lavalas, eccentric dancers. Other is 7 Roncos, an international acrobatic number.

Brackley, who is a very good one, all combine to make it a very good one. The show, which is a very good one, all combine to make it a very good one. The show, which is a very good one, all combine to make it a very good one.

Mackie and Lavalas open their act with a song and a little patter, which they might as well leave out, because they are not very good. The show, which is a very good one, all combine to make it a very good one. The show, which is a very good one, all combine to make it a very good one.

Violence of the drunk dance is what gets the French. The two boys maul each other as no French act could. The show, which is a very good one, all combine to make it a very good one. The show, which is a very good one, all combine to make it a very good one.

Roncos also please. Brief vaudeville program of Rex and other Gaumont house, Gaumont Palace, has been a very good one. The show, which is a very good one, all combine to make it a very good one. The show, which is a very good one, all combine to make it a very good one.

Picture is "Monsieur P. On Emule" (Society Boredom) which is an excellent one. The show, which is a very good one, all combine to make it a very good one. The show, which is a very good one, all combine to make it a very good one.

Opportunity to show the excellence of Clifton, with the woman not even ornamental. Man is loose-limbed, with elongated arms. Some good comedy and evolution. The show, which is a very good one, all combine to make it a very good one. The show, which is a very good one, all combine to make it a very good one.

Ada and Eddie Doras, who still remember their Shubert engagement. The show, which is a very good one, all combine to make it a very good one. The show, which is a very good one, all combine to make it a very good one.

Low and Webster, two local comedians, well liked, material has been around often but they sell what little they have. The show, which is a very good one, all combine to make it a very good one. The show, which is a very good one, all combine to make it a very good one.

Elsie Carlisle and Sam Browne have come on in leaps and bounds through their radio work. Feature broadcasters from the Ambrose radio show, which is a very good one. The show, which is a very good one, all combine to make it a very good one.

George Wood, practically the last of diminutive actors, is still doing his "Half-a-Clown" story of a circus urchin who is stranded and hits it in a very good one. The show, which is a very good one, all combine to make it a very good one. The show, which is a very good one, all combine to make it a very good one.

Rudi Grasl, German musical mimic, minus any makeup. Can imitate any musical instrument with uncanny accuracy. The show, which is a very good one, all combine to make it a very good one. The show, which is a very good one, all combine to make it a very good one.

burlesque of a popular ether item. "In Town Tonight." Obviously in experimental stage, thing has great possibilities, as it can be made topical.

Naito family, four girls, very youthful looking, in native attire, have an original idea in presenting the show. The show, which is a very good one, all combine to make it a very good one. The show, which is a very good one, all combine to make it a very good one.

Joe Termini, set getting over a bout of influenza, took next-to-shut spot. Nothing new, but the chrome colored shoes, same funny bowler, same jumpy duck. But it seemed, judged by the laughs that he has been here still some people who have not seen him. The show, which is a very good one, all combine to make it a very good one. The show, which is a very good one, all combine to make it a very good one.

Palace, N. Y. The week the Palace is relying almost entirely on its screen feature, with a very good one. The show, which is a very good one, all combine to make it a very good one. The show, which is a very good one, all combine to make it a very good one.

Murray recently left the revue, but the show is a very good one. The show, which is a very good one, all combine to make it a very good one. The show, which is a very good one, all combine to make it a very good one.

Both sides of Murray, deuce and next-to-closing, there are acts working in one as he is. Which is another thing that detracts from the show. The show, which is a very good one, all combine to make it a very good one. The show, which is a very good one, all combine to make it a very good one.

Only real comedy in the show is provided by Frank Gaby on the other side of Murray, the girl, and a latter with both all right for what they represent. The show, which is a very good one, all combine to make it a very good one. The show, which is a very good one, all combine to make it a very good one.

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# MEMORIAL, BOSTON

Boston, Feb. 1. In Boston RKO is celebrating Keith's 52d anniversary at the Memorial by bringing in four weeks of name talent. They're also bringing in a very good business than they've seen for years.

Presaged by a thorough ballhoof, the show is a very good one. The show, which is a very good one, all combine to make it a very good one. The show, which is a very good one, all combine to make it a very good one.

House has been straight up since August, 1932, when Ethel Barrymore, in a very good one. The show, which is a very good one, all combine to make it a very good one. The show, which is a very good one, all combine to make it a very good one.

Stan Kavanagh, deuce and next-to-closing, there are acts working in one as he is. Which is another thing that detracts from the show. The show, which is a very good one, all combine to make it a very good one. The show, which is a very good one, all combine to make it a very good one.

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# BAG THAT DOUGH!

**\$2600**  
in Twenty Five  
Cash Prizes!!!

will be awarded by Paramount in a  
**GIANT EXPLOITATION CONTEST**  
for the most effective campaign on  
**RUGGLES OF RED GAP!**

**Sharp Shooting Showmen—ATTENTION!**  
The Contest starts February 15 and ends April 12. All exhibitors  
—big and little—can compete for the 25 prizes. Here they are:

**FIRST PRIZE . . \$600**

**SECOND PRIZE . \$400**

**THIRD PRIZE . \$300**

**FOURTH PRIZE . \$200**

**FIFTH PRIZE . . \$100**

**TWENTY PRIZES . \$50**

RUGGLES OF RED GAP is the SHOWMAN'S picture. The book has been read  
by millions. The cast is loaded with EXPLOITATION DYNAMITE! The picture  
is crammed with SELLING ANGLES. IT'S IN THE BAG!

Write to your Paramount Exchange for the SPECIAL EXPLOITATION MANUAL  
bristling with high power ammunition for the contest. Everybody has a chance  
to win. In case of a tie, duplicate prizes will be awarded. So—GET GOING!



## "RUGGLES OF RED GAP"

CHARLES LAUGHTON MARY BOLAND CHARLIE RUGGLES ZASU PITTS

Roland Young · Lella Hyams · A Paramount Picture · From Harry Leon Wilson's story · Directed by Leo McCarey

# EXPLORATION

By Epes W. Sargent

**Advance on 'Baobab'**  
Fox worked the special exhibit for 'Baobab' at the Rialto, New York. No available space in the store, so the alley was used, the entrance being framed in with straw covered corn, board and green foliage. Just three strips of board and a little greenery, since it was not possible to use an elaborate setup in the fire exit. Beyond the street line black drapes were used to create a tunnel effect lighted with green bulbs and with a plentiful display of stills on the side walls.

Probably cost very little to construct, but it was useful in telling the advance what 'Baobab' means and overcame the sales resistance to the announcements. It's far from being a new idea, but the first time it has been worked in the vicinity of the most traveled corner in Times Sq.

It's good promotional work for the Johnson picture, and it will work just as well for any picture, not suitable, too, for a picture, as witness some of the song shows for the last Cantor feature, but it is a valuable advance work, a dramatic offering, which requires intensive selling. In the case of 'Baobab' the idea was to indicate that this was a picture from another Johnson picture. In any case the main object is to demonstrate to the public that the picture is continuously, the product still has a dramatic value.

Most done in a nearby vacant store, if one is available, but can also be used for a mezzanine or inner lobby feature. In one theatre with a long entrance, the ticket gate was moved back and the public given access to the usually crowded space. In another, where it is worked, all the unusuals in advance.

## Itjen's Ambition

What is really an exploitation stunt, and yet is used as a vaude act, is Martin Itjen and his Skagway street car. He has been working at the Paramount (Evergreen) due to the novelty of the gag and that his new stunt, which he called A.P. dispatches of the source, being in town, first time out in 30 years, and that he was intent to go to Hollywood and meet Mae West.

A.P. story was answered via A.P. Martin West, who interviewed to Martin—Come and see me.

This Mae West buildup and the appeal to Alaskans now living here, as well as to tourists who had been in Skagway and paid two-bits for a ride in Itjen's odd 'street car' did nothing to help him, but he had to explain. The contraption is really just an odd bus body set on a Ford chassis, with seats for about 30 folks. It is used in summer season to take tourists on night-sight trip up north, but only a few miles from street and highway built. Now it's off-season and Martin hit for the states figuring to get the matter made into a picture. Mae West. He also hopes to get a bit in her next 'pix', 'Flame of the Yukon.'

## Found a Dickens

Herb Morgan, Loew's representative, sprang forth last week with one of the tightest, most thoughtful stunts Balto has been treated to in a long time. For 'Copperfield' (GFC), current at the Century, he looked up the name 'Dickens' in the phone book, and upon finding he earned there really existed a 'Charles Dickens' in town; furthermore, the middle-aged man he proved to be identical to the one who had been the scribe. The local forebear of the Victorian man of letters was taken to the Century, and upon the author's life and works. When Morgan asked him if he would be willing to cooperate in a few publicity plans, the chase agreed.

Morgan carried him in togs of the Dickensian in a horse-drawn carriage, and presented the mayor with an autographed (his own) volume of 'Copperfield'. He was taken to meet 'hizzoner' in a horse-drawn trolley, on the streets, since snow caked the streets. Newspapers snapped him for stills and interviewed him as a humorous, est-earn subject. The old man got quite a kick out of it.

## Tonsorial

Getting to a group which will insure a lot of talking and make an invitation screening worth its weight in chatter, is the idea of having a group of almost every pub man who tries it. E. A. Patchen, idea man for the Great Britain Theatre, has been thru in connection with 'Lives of a Bengal Lancer'. He wanted a lot of chatter and a minimum of wastage, so he picked the most reliable source. The Barber's Union was invited. It's an idea, at that.

## Showed to Solons

Pat Patchen, exploiting 'County Chairman' head of the ball with a screening of the Rogers opus before the joint session of Nebraska's two houses of legislature. Patchen not only a big plug for the local houses the move gained emphasis over the entire state, being given the widest coverage and getting on the press wires.

The biggest feature of the stunt was the weighty pronouncement of Republican leader Cushing, who addressed the house prior to the showing, in which he said: 'Nebraska is faced with the primary primary election laws and it will probably only be a question of time until the county party caucuses and county chairmen will come back into prominence. With this in mind and the instruction in the activity of the county gavel man, in addition to the entertainment, I think the legislature should plan to attend this picture in a body.'

That quotation should provide plenty of ideas for wide awake ad men state wide, because the legislature is not only a big plug for the state, it is at white heat around here. The recommendation of Cushing as a legislative member can be warped into a business guarantee.

Stunt was accomplished by a portable sound and projection apparatus, and was probably the smoothest sentiments in part when the three drastic bills against theatrical operatin in the state come up.

## Streaked Omaha

In exploiting 'Silver Streak' Brandeis theatre based its campaign on the stunt worked by Lou Golden in Minneapolis, but went him several better. Louie Brandeis, in a publicity stunt, arranged for the Bee-News to sponsor the school children's essay, and in the model of the stunt, for the first prize, \$25 in cash went to nine other contestants with ten pairs of tickets for the also ran. Bait arrangement broke nice advance notice in the daily.

On special deals employee nights was held in the building, four on the railroad, the Western Union, American Railway Express and the Nebraska National Bank. The bank sent direct mail and special invitations to more than two thousand people with the consequent word of mouth play up the word came from the boss to attend the show.

Burlington-general offices lent a hand with lending line started at Regent theatre, after discontinuance for two years. State sales tax (2 cents on net) hurt idea formerly, but management.

Bargain hour from 12 noon to 1 p.m., with entire house at 15 cents. Evening show, 20 cents. Offered from 25 to 30 cents, with lower floor at 40c.

## Jaunt for Crix

Herb Morgan, Loew's publicist, this week escorts over to Washington, D.C., a picture, where they may sit in of a filming of the Smithsonian zoo of 'Sequoia'. Reason for going over to the Capital is that in the government there are some deer from the preserve upon which was filmed 'Sequoia'.

Idea has blossomed larger than at first expected, since Dr. Knight Dunlop, top-dog in his profess at Johns Hopkins hospital in Balto, has been called to the metropolis to be present. The medico wants to gauge the animals' reactions himself, who is engaged in research in Balto, has asked if he may come, too.

Was willing to pay some expenses for trip, but a man at work gave a C note for a brief consultation from patients.

## Listing the Bills

New Haven. Howard Burkhardt's best plug for 'Broadway Bill' at Polli's was a newspaper teup running a contest on the best list of the most famous Bills in the world. Cash prizes and Oakleys went to winners. Lists included everything from the Bill to tax bills. Stunt drew immediate and heavy response.

## Dollar for Season

Palace theatre has again planned its special children shows for the winter. The show was first started last year and met with success. Program now gets underway on Feb. 9.

## Tough Contest

One of the contest stunts provided by the Warner press book on 'Sweet Music' is a comment on the contest written as VARIETY would write it, with prizes for the best translation into English.

Key of the gag is that the contestant has to absorb a plug while struggling with the words.

## Pup Show for 'Fete'

In connection with the appearance of 'Fete' dog used in Our Gang comedies, on the stage of Wilmer & Vincent's State theatre here, Manager Spencer Bentley put on a dog show on the house's stage. He permitted both boys and girls to enter their dog stunts and gave prizes. It was a great set-up for the attraction and brought hundreds of juveniles into the theatre that ordinarily would not have attended either the matinee or evening show was held on a Tuesday, several days ahead of dog's appearance.

# BEHIND the KEYS

Los Angeles. Alvarado, nabe pix house has increased its admish to 25c. Second time since last fall. Local branch of National Screen Service participated in a 15 weeks' sales drive, launched to commemorate NBS 15th birthday anniversary. Los Angeles, nabe sub, first goes single bill Jan. 31 for first downtown showing of Universal's 'Timberland'.

Los Angeles. Earl Johnson, nabe exhib, appointed associate member of board of directors of the Independent Theatre Guild of Los Angeles. Middletown, O., fire recently damaged the back-stage of the Sord theatre, oldest amusement house here. Loss, \$5,000 to \$10,000.

Glen Falls, N. Y. After managing Schine's Rialto here since May 1933, Harry G. Black resigned to become manager of Loew's State, Providence, R. I.

Springfield, O. Shoppers, matinee again started at Regent theatre, after discontinuance for two years. State sales tax (2 cents on net) hurt idea formerly, but management.

Baltimore. After having been a bone of contention for 51 weeks, City & County Commissioners permit erection of nabe film house to Durkee Enterprises. A 600-seat building will be erected.

Permit to build had been fought by Lou Rome, who runs the second largest chain of nabe here.

Grafton, V. Va. Representatives of Warner Bros. Service participated in a 15 weeks' sales drive, launched to commemorate NBS 15th birthday anniversary. For a price (lease or sale) of property at West Main and St. Johns streets for a theatre site.

Orlando, Fla. Monona, Iowa, has leased the Strand theatre building at Edgewood, Iowa, and will operate it.

Geo. Norman, manager of the Storm Lake, Iowa Empire and Sac City, Iowa, has purchased the Empire at Cherokee, Ia.

Midwest Film Distributors, Inc., have opened offices in Des Moines and will serve 140 Iowa houses. F. E. Judd, formerly with Fox in Des Moines, returned from Omaha, where he managed the Omaha Mid-west Film Distributors office. Midwest is affiliated with the Common-wealth theatre interests of Kansas City.

Grove City, Pa. Mrs. Martha G. Guthrie, widow of the late John M. Guthrie, has announced that she will continue operation of the Guthrie theatre.

Portland, Ore. Nor Harrington, head agent at Evergreen Paramount, assisting Frank Newman, Jr. He replaced Bob Moore at the Paramount, with a view to transferring to Bellingham, Wash., for Evergreen.

Frank Newman changed the Paramount's opening date to Wednesday, Feb. 7, to suit the new Bert Levy vaude units now showing at that house.

J. P. Peter will put in box-fighting and similar attractions into his new theatre at Bonneville, where Joe Feldman's dam is being built, using pix as a regular diet.

## Everybody's Doing It

New Haven. Howard Burkhardt got 54 inches of free news space (including a still from the film) as a plug for 'David Copperfield' at Polli's by a comment on the contest written as VARIETY would write it, with prizes for the best translation into English.

Key of the gag is that the contestant has to absorb a plug while struggling with the words.

## Landed on Schools

Cleveland. Nat Holt, m. d. of RKO theatres here, made a fine tie-up with public schools on 'Baobab', by having the picture and play dates announced in the schools by principals and teachers.

He also arranged with the Cleveland News to have numerous elaborate displays with stores that never before cooperated with motion pictures or theatres in exploitation.

## Happy Birthday

Seattle. Landing two pages, co-op adv. in the Seattle Times commemorative of 21st anniversary of building of the house by present operators, Jensen & von Herberg, splashing heavily in birthday event in all the papers, having a birthday cake for the patrons Monday evening, in conversation for the ladies all the week, and at the same time pulling a 'Fugitive Lady' contest in leap with Seattle Star is what is keeping Armstrong busy this week at p. a. for J-V circuit. Pix on dual bill 'Fugitive Lady' (Col) is reason for the contest, with the gal two-way exploitation is showing some b. o. results.

## L. A. Sked

(Continued from page 7)

live although officially it does not become film law until certain remaining items about the L. A. zoning problems are smoothed by the C. A. It is assumed that the clearance laws based on the boundaries in the L. A. territory within the fortnight.

Apparently the C. A. by its split vote indicates that there does linger certain doubt about the feasibility of the clearance laws based on admission scales. It is figured that by rendering a decision such as the C. A. did, it was necessary to put the rules squarely up to the NRA chieftains in Washington.

Do the anti-trust laws apply under the NRA, or does the NRA, theoretically, at least, cause a suspension of the anti-trust laws, for any reason?

Advantages which arise from a schedule as okayed for Los Angeles are numerous. Perhaps most important is that no circuit can obtain clearance for any under-priced scale of its own, against any competitor, unless it can show any competitor thereas, such as is possible if such clearance not apply. Thus, on the Coast, for instance, a Fox-West Coast 15c theatre has to play behind competitive 25c theatre, and P-W-C cannot spot its purchased films into its own houses except as governed by clearance rules.

Presumably, with Los Angeles, as the example, similar schedules would be okayed for other keys where such schedules may be desired, and it could apply in the New York territory, if adopted, also.

What the schedule reduces the possibility and stops the reduction of scale by any exhibitor who might want to squeeze a competitor. Should an exhib so reduce his scale he automatically loses his clearance rights.

## Scribes—Producers

(Continued from page 3)

ganization of which the writer is a member. If ineffective, recourse is to be had to an arbitration to consist of two members appointed by the producers, two by the writer organization and a fifth person who shall be indisinterested. (This is similar in demand to the actors' five and considered as a step at the present Academy arbitration.)

When the writer and producer are working simultaneously on the same material, all must be notified to that effect.

Producer compacts to blacklist and prevent competitive bidding by secret agreements are prohibited. For composers and lyricists, contracts shall provide for screen credit if the song is used. If written for the picture and not used, rights revert to the author. If song is used, but later is eliminated, rights revert to the author unless the song shall be used in another film produced within six months.

Minimum scale for studio readers shall be \$50. On piecework, price shall range from \$350 for an original of less than 100 pages to \$750 for books. An additional 25% shall be paid if the material is in a foreign language, including an English synopsis. Translation of a book shall be at a minimum of \$100 and \$100 for similar treatment of a play. No producer is to engage writers through a general booking office. —Members of the writers' committee are: Ralph Bick, John Emerson, E. J. Glavin, Dudley Nichols and Waldemar Young.

*What the well-dressed lobby will wear*  
**FOR FEBRUARY**



**RUDY VALLEE**  
**"SWEET MUSIC"**  
 with **ANN DVORAK**  
 and 7 Stars! 2 Bands!  
 6 Songs! 100's of Girls!  
 A Warner Bros. Picture

Directed by Alfred E. Green



**"Devil Dogs of the Air"**  
 with **JAMES CAGNEY · PAT O'BRIEN**  
 and **MARGARET LINDSAY**  
 A Cosmopolitan Production  
 Directed by Lloyd Bacon

Samples of the grand promotion material for 2 more grand hits coming in a single month from

**WARNER BROS.**



# Film Code Powers to Order Pix Cut-off Tested in Coast Action

Los Angeles, Feb. 4. First legal test on the Coast of the right of Code Authority and film grievance board to order film service suspended to theatres convicted of bank night operation is scheduled for today (Monday) in U. S. District Court here when Federal Judge George Cosgrave will hold a hearing on a temporary restraining order granted to O. W. Lewis of San Gabriel against the grievance and major distributors.

A similar hearing on a temporary injunction granted by Federal Judge Delatich and Delatich of Oxnard is set for Wednesday before U. S. District Judge McCormick.

On the outcome of one or both of these hearings is expected to hinge the fate of the money giveaway that has been a hornet's nest to many independent exhibitors here and elsewhere. Also, feeling here is that a Federal court ruling in favor of the exhibs would be the first wedge in the scrapping of the film code, by reason of its lack of authority to inflict penalties.

Feldstein & Delatich's bank night controversy has been hanging fire since last August, with Code Authority only recently having upheld the local grievance board in its case and desist ruling. Lewis since covers his operation in bank night in the Mission in San Gabriel, with complaint having been filed by an indie exhib in the adjoining town of Alhambra.

## METRO'S 2 MADE-IN-ENG. PRODS. THIS SPRING

Hollywood, Feb. 4. Metro will have two companies in England late this spring to make "The Charge," and "The Bank at Oxford," Sidney Franklin directs former, and Jack Conway latter, Conway going abroad first.

Both pictures will have entire British casts, with exception of one American in "Oxford." Latter story is written by John Galsworthy, Jr., and John Monk Saunders, who were Oxford students at the same time. Howard Emery Rogers does the screen adaptation.

## Allvine Leaving Radio For Another Major Lot

Hollywood, Feb. 4. Glendon Allvine who resigned as associate producer at Radio, effective Feb. 3, moves over to another major studio in a similar capacity. He joined the Radio staff three years ago as executive assistant to Merian C. Cooper, and upon the latter's retirement from production, was signed as an a.p.

## Freund Goes Metro

Hollywood, Feb. 4. Karl Freund, who has quit Universal after seven years, has been signed by Metro to direct his own untitled mystery story.

## BERNERD ON THE HOP

Jeffrey Bernerd, head of Gaumont-British in America, returned to New York Saturday (2) after a week's tour of eastern exchanges and left again late Monday (4) for another tour in the southeast.

Mark Ostrow, president of the company, is now not expected to come over until late in the month or early March.

## FLO RICE STAYS AT COL.

Hollywood, Feb. 4. Columbia has lifted another fifth month option on Florence Rice.

## Lieut. Baker, a Liberal, Resigns as Det. Censor

Detroit, Feb. 4. Lieut. Royal A. Baker, film censor for the Police Department for 22 years, resigned this week. He was deemed a liberal, for example, the past year, after viewing 400 features and 1,500 shorts, only seven features were banned and 99 cuts were made in others. A testimonial banquet was tendered the Lieutenant by the Variety Club. Serg. Joseph Kollar succeeds Baker, having served as his assistant the past three months. Baker's assignment as censor came about by accident. While walking a beat as patrolman he chanced to see an objectionable picture and reported it to the police commissioner, who banned the film and appointed Baker to the censor job.

## Special Committee To Handle Bellman, Burr's Complaint

Two disputes, originating in the Los Angeles territory that have been brought to the attention of the Film Code Authority here, are to be handled by a special committee. It was voted at the C. A. meeting last Thursday. This committee will be named by the Code Authority and will hear all testimony in the case when it is taken in California. The first action is that of Jack Bellman against Ken Goldsmith and Mascot Pictures, alleging a distribution contract on "Little Men."

The other is the claim of C. C. Burr, producer, versus Larry Darmour, a dispute over the services of Ken Maynard, eastern actor.

The C. A. ruled to have a committee handle at least the preliminaries in these cases because those involved pleaded that they were unable to come to New York to testify.

## ZEIDMAN LEAVES U AFTER 2 YRS. AS PROD.

Hollywood, Feb. 4. Ben F. Zeidman finishes two years as a producer at Universal, company deciding not to lift option on his contract for a further stretch. Producer's last two pictures on the lot were "Tee Bree Around" and "Straight From the Heart."

Two pictures now under the production wing of Zeidman, "The Raven," and "Keep on Dancing," will be assigned to other producers on the lot to handle.

## Three Studios Shine Up To Kearns Biog for Pic

Hollywood, Feb. 4. Jack Kearns is having a story of his life written and has interested 20th Century, Universal and Fox in the yarn for a picture.

Story is based mostly on his managerial activities with Jack Dempsey. Mark Kelly, L. A. Examiner sports ed., is ghosting.

## Pettijohn's Scouting

Charles C. Pettijohn of the Hays office was in Washington during the past week presumably to set up the first barriers in the picture industry's defense against the barrage of Federal legislation, adversely affecting the film business. Pettijohn has represented the Motion Picture Producers & Distributors in past years in battling against proposed legislation in Congress that might tend to injure the picture industry.

## Jack Boland Ups at Fox

Hollywood, Feb. 4. Jack Boland, for many years assistant director at Fox and for the past year production manager to Eric Pommer, has been elevated to a directorial post by Winfield Sheehan.

## Where Credit's Due

Hollywood, Feb. 4. Bulletin of the Academy which heretofore, has given listings of all directors concerned with the production of a feature, though they may not have attained a credit, will now list all art directors, photographers, film editors and sound technicians in the monthly publication.

But their work is important enough to rate recognition even though there may not be room on the film titles.

## SEE BOOTHMEN'S SETTLEMENT IN N.Y. AREA

Industrial peace as far as booth operators in picture houses in greater New York are concerned looms as a result of the C. A. committee vote approving the O'Reilly plan for boothmen's pay late Friday in Washington.

The scale plan proposed by Charles O'Reilly, a member of the Code Authority's fact-finding committee, chairman of the labor committee of the C. A. and president of the New York Theatre Owners' Chamber of Commerce, was favored by the fact-finding committee, 5-1. The only vote cast against the O'Reilly proposal was that of Operator Local No. 30.

As a result of this vote in Washington, which came after a public hearing on the proposition Friday morning, it is believed by those in the code circles that a fair plan for booth pay may be set up within the next two weeks, providing, of course, there is co-operation between labor and theatre owners.

Such a prospect is predicated on fair dealing with labor and the allocation of wages so that theatre owners can afford to pay the scale. When and if the proposed booth pay plan is set up for the New York metropolitan area, it will be the first to be devised under the NRA. It will mean a scale agreement for 2,250 operators in more than 500 motion picture theatres in this region. The task of making a just allocation may be realized when it is known that \$30,000 is paid weekly to booth operators in greater New York.

The O'Reilly plan is based primarily on a point system, with \$12 allowed on each point. Three points are permitted for the run of the picture on one point for seating capacity and one for the price of admission. Thus, a 600-seat theatre, subsequent run, with a minimum admission price, would mean \$60 for operation of the booth for five weeks. This is rated as the minimum under the O'Reilly boothmen's scale.

Both Sol A. Rosenblatt, divisional NRA administrator, and W. P. Farnsworth, deputy Administrator, attended the fact-finding committee session.

## Philly Indies Bubbling Over Because of Anti-Duals Decision

Philadelphia, Feb. 4. The long-awaited decision of Federal Judge Welsh in the double-feature case, originally brought by Harry Perelman, indie exhibitor here, and which soon developed into a definite battle between the nine major companies and the independent, finally came along late last week, and the reverberations haven't died away yet.

Judge Welsh dealt the nine major companies a staggering blow when he held that they were engaged in a conspiracy against independents in violation of the Sherman and Clayton anti-trust laws. He ordered the abrogation of a clause in contracts of the major companies with the exhibitors prohibiting the showing of two feature films on the same program, holding that such a ban restrains interstate commerce, cuts down the number of features the independents may produce, and has

# O'Reilly's and Union's Proposed Booth Wage Scales Cause Rosy To Take 'Em All Under Advisement

Washington, Feb. 4. Presentation of two other schedules for determining minimum booth costs in exhibition houses in New York theatres Friday (3) cut short the frequently postponed hearings on proposals for fixing wage scales and ending employer-labor disputes in the metropolitan area.

Faced with the O'Reilly plan and the union formula, Divisional Administrator Sol A. Rosenblatt adjourned the hearing after brief discussion and prepared to call a subsequent sub-session when all three proposals will be discussed.

The suddenness with which the O'Reilly and union formulas came before the NRA was responsible for the curtness of the session. Under Blue Eagle regulations, adequate notice must be given before formal consideration can take place.

The majority of the discussions centered around the alternative positions, which were the result of a sharp split in the exhibitor-labor committee named months ago by Rosy to end the tiff over minimum wages for booth workers. The O'Reilly formula was presented with the support of five of the six members of the fact-finding group while the union proposition had only the support of the single labor representative.

The original formula, designated "Schedule A" and calling for minimum hourly booth costs ranging from 75 cents to more than \$5 does not include the cost of all men. Leslie E. Thompson, committee chairman and RKO executive, asserted in proposing the alternative O'Reilly formula. "Reported that the vote the previous plan was 3 to 3; on the O'Reilly plan, 5 to 1; and on the union plan, 1 to 5.

Urging adoption of the compromise O'Reilly method of fixing wage scales, the compromise committee on the union plan as "not in sufficiently definite shape" for consideration.

Split in Union Ranks

A split in union ranks was revealed when Matthew M. Levy, representative of 1,000 members of the "Progressive Group Committee," of I.A.T.S.E., local 308, assailed the fact-finding committee and charged the investigating group had exceeded its authority. Levy protested bitterly against adoption of any minimum wage scale, insisting the action would tend to establish a maximum limit and charging that the proposed schedules would lead to sharp reductions in wages.

The original formula, Levy complained, would result in "practical abolition" of two men-in-a-booth. Despite Maj. Thompson's denials, Levy insisted this was the objective of the committee. When he tried to present profit figures for indie companies to bolster his attack, he was ruled out of order by Rosy. Murray A. Harston, representing A.L.P. of the Picture Operators Union, and Benjamin F. DeAgostino, president of the union, squawked the vote.

Judge Welsh's opinion sustained 21 points of fact and eight points of law which were requested by former Congressman Ben Colder, counsel.

The government took no part in the proceedings, viewing it as private litigation between Perelman and the companies.

More than a score of indie theatre owners supported Perelman in his suit, and there is much joy in the camp of the indies today.

that they never had received copies of the schedules and demanded further time to prepare their comments.

The union scale should be made the minimum booth cost, C. S. Thiede, representative of local 308, asserted in presenting the union plan. Labor rep proposed a maximum 30-hour week, in harmony with the proponents of the other two plans, and said the alternative formulas are "inequitable" and would bring "tragic results."

Claiming to be "willing to do anything to bring about peace and harmony," Thiede noted that the union plan eliminated the factor of runs, in response to requests from house operators. Schedule based on 84-hour week and proposed minimum costs from \$31 to \$531 per week.

## O'Reilly's Compromise

Explaining his point-system, Charles O'Reilly, committee chairman and T.O.C.C. president, urged adoption of his compromise method. Pointed out that the total booth cost in the Greater New York area is \$50,000 to \$60,000 weekly and said that proper allocation of this amount to the individual theatres demands consideration of runs.

Demands for gradual upping of admlsh scales were voiced by O'Reilly, who said the New York scale is too low in comparison with prices charged in other parts of the country, and recommended a flat minimum box office scale of 25c.

Joseph T. Bason, another "progressive group" spokesman, denounced the original committee man as a move to undermine the two-man practice, while Harry Brandt, I.T.O.A. president and plan author, complimented the conservative membership of the local for its co-operation.

The schedule would raise operating costs only \$3,000 weekly in the entire metropolitan area, Brandt contended, insisting that there was no "prevailing" wage in New York City, August, 1933, and that the committee was compelled to concoct a minimum scale.

Insisting that few of the houses operated by members of his association employ two operators, Brandt protested that under the plan would not afford the \$50 minimum. Said he is in favor of any arrangement that will "give the men in the booths a fair living wage," but insisted that consideration must be given the economic problem confronting house operators.

Further socks at the Brandt formula came from Abraham Kinderer, head of the Empire State Picture Operators Union, who said that the "A" formula would make local 308 the dominant union in the New York field. Termed the plan unfair to exhibitors, Kinderer said his union has contracts and demanded consideration for runs in fixing booth costs. Favored the O'Reilly scheme as an alternative. Another slam at the "A" schedule was taken by Joseph A. Teperson, who claimed to speak for both the Empire-projectionists and theatrical unions. Teperson repeated that the Brandt formula would put the I.A.T.S.E. group in the saddle in the metropolitan field.

Request that the minimum scale consider other important economic factors made by the representative of Trio Consolidated Corp., who asked that any approved schedule grant exemption for prior contracts negotiated through collective bargaining. Said location, supplementary features, age of house, distribution of seats, and other items deserve consideration.

Indications that the next step will be a hearing on the O'Reilly plan were seen in Rosenblatt's attitude as the hearing ended. Calling Brandt and O'Reilly into conference behind closed doors, Divisional Administrator Welsh declined to state what he proposes to do, but suggested another hearing is imperative.

## NIZER'S FILM CODE BOOK

Louis Nizer, film attorney, has written the first book on the motion picture code. Title is "New Courts of Industry: Self Regulation Under the Motion Picture Code." It is in the course of publication.

# ONE MORE TRIUMPH—*and their greatest* FOR THE STARS WHO GAVE YOU "DADDY LONG LEGS" AND "PADDY"!

Emerging gloriously from the vital smash-seller of today by Robert Nathan come the adventures of two who suffered, strove and triumphed . . . . . guided by a pure, unselfish love that no man or circumstance could crush. Life and laughter . . . . . depth and drama . . . . . played with inspired fervor by your favorite star team!

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in

# 'ONE MORE SPRING'

with

Walter King  
Jane Darwell  
Roger Imhof  
Grant Mitchell  
Rosemary Ames  
John Qualen  
Nick Foran  
and  
Stepin Fetchit

Produced by Winfield Sheehan

Directed by Henry King

From the novel by Robert Nathan

Screen play and dialogue by Edwin Burke



## Exhibits Still Say Shorts Are Solution To Duals, but Must Improve—And How

Prominent exhibitor leaders aver that most theatreowners are willing to do away with the double feature policy which for more than a year has had a stranglehold on the country, as soon as producers offer some sort of a solution to the problem. These exhibitor chieftains still look to the short subject field as the solution. They maintain that the sort of marked improvement in short feature product will turn the trick. But right now they believe that without double features, they would be unable to assemble a program for their theatres. They attribute this to the gradual disintegration of the shorts.

It is their contention that if several of the oldest and most prominent producers of shorts noted the warning 10 years ago, the double feature would not have swept over the nation until it stacks up today as a general theatre policy.

Such producers are charged by exhibitor leaders with having virtually sacrificed their field to outmoded slapsticks. Even today the producers refuse to admit that short features are 10 years behind the times, although current productions plainly evidence this fact, they point out.

That good shorts pay is illustrated by several outstanding examples in recent years, claim the exhibitors.

## Avalanche of Pix In L. A. As First Runs Double Fire

Los Angeles, Feb. 4. Second run pix houses here are facing a film booking congestion in the next couple of weeks in consequence of an avalanche of first run product, brought about by double billing in four of the seven first run houses, for a total of 11 features weekly.

Availability for the second runs will be such that house operators fear they will be forced into triple billings to absorb the surplus which they will be called upon to date immediately upon availability, or lose out to the subsequent runs.

Only single bill houses in the territory currently are the Paramount, Loew's State and Chinese (day and date), and the RKO Hillstreet and Warner's Hollywood (also day-and-date).

First runs that are dualing are the United Artists, Warner's Downtown, Pantages and Four Star.

Downtown second run situations are the Orpheum, President and Reno, all in the Principal park, requiring six pix weekly for their needs. Operators of these houses contend that the excess availability makes it impossible for them to extend runs of outstanding pix, through forcing the features into the third runs before all of the second run biz has been garnered.

Exhibitors are wondering just how long the studios can continue to turn out 11 top features weekly to take care of the demands of the first runs.

## Murphy Brings Family To Coast on Pic Deals

Hollywood, Feb. 4. With several picture deals in prospect, Bob Murphy and the family chugged in from the east Friday (1), accompanied by the missus, the son and daughter.

Murphy was a cafe owner last time he was here five years ago.

### Joe Brennan Feted

Boston, Feb. 4. Joseph H. Brennan, newly appointed secretary of the Allied Theatres of Massachusetts, was feted at the Copley Plaza by several hundred friends, state and city officials. Brennan was presented with a check for \$1,000.

Before his appointment, Brennan was manager of the Loew's State here.

## Presto! Chango!

Hollywood, Feb. 4. The guy who worried about how Pullman cars are named might turn toward the Coast for worry he can sink his teeth into.

After signing Margarita Cansino to a contract, Fox changed her name to Rita Rubio.

## Tri-Ergon Patents' Validity Up Before The U. S. Sup. Court

Washington, Feb. 4. Arguments on the validity of the Tri-Ergon sound patents opened today (Monday) in the U. S. Supreme Court and due to be concluded today.

Taking the Paramount litigation first, the Court heard William Fox's attorneys argue that patents on the double print process cover important new developments and then listened to ERIE and Paramount attorneys contend that no new discoveries were contributed by the German inventors.

Industry spokesmen maintained that nothing is patentable in the Tri-Ergon process and cited the New York District Court ruling holding the patent invalid and producers not guilty of infringement.

Exhibitor suits, involving validity of the flywheel patents, is slated for joint discussion tomorrow (Tuesday). The Court consolidated the Altoona-Pixlib and Wilmer & Vincent proceedings, in which the sole issue is patentability of idea of applying flywheel on projection machines.

Array of counsel appeared in behalf of Fox, with former Solicitor-General Thomas D. Thatcher and former Senator George Wharton Pepper headlining.

## WARNERS UP BALDWIN TO SUPE OWN STORY

Hollywood, Feb. 4. Earl Baldwin, Warner writer, will be elevated to a supervisory upon completion of his current assignment, 'The Irish in Us,' Cagney-O'Brien-McClure yarn.

First supervisory assignment will be an original story of his own.

## Neb's Proposed 2% Sales Tax Will Take in Amus.

Lincoln, Neb. 4. A 2% retail sales tax, constructed to include admissions to amusement places, theatres, games and athletic contests, was the gist of a bill introduced in the state legislature here by Representative Nickles and a dozen others. This is the second sales tax measure; the other not including the amusement portion.

This tax will be levied on the net admission, not on the gross which may include the previously levied Government tax. The measure also says it will not be possible to absorb the cost into the sales price, but it must be tacked on.

Denver, Feb. 4. Sales tax of 2% passed by the Colorado legislature exempts tickets to amusement places. Law effective March 1.

## MG Expanding Eatery

Hollywood, Feb. 4. Metro will immediately start work on remodeling and enlarging the studio cafe. Present commissaries will be devoted entirely to tables, with counter ripped out and put on first floor of the old writers' building.

Drafting room and production offices in the latter will be moved to other buildings on the lot pending construction of the proposed five-story structure on site of the Marion Davies bungalow.

## Helen Flint Gets Lead In MG's 'Ah, Wilderness'

Hollywood, Feb. 4. Helen Flint nabes the ingenue lead in Metro's film version of 'Ah, Wilderness,' next Clarence Brown production on the lot.

Girl, who played the part in Coast stage presentation of the piece, was selected by Brown after tests.

## NEW G. E. CHEAP POWER HAS PIX SLANT

The motion picture industry is expected to be materially benefited in saving on its electrical power as result of General Electric's development of a complete new system for direct current transmission and distribution. That General Electric had perfected its new invention, after experiments at the company's plant and successful tests of the system, was announced officially during the week.

The new system, which employs giant vacuum tubes as electrical pumps, was conceived with the idea of supplying cheaper power. It substitutes direct current for alternating, now employed in carrying high electric power, but will be able to transform this into alternating, if needed, at either end or at any point in the line.

Because of this feature of the new electrical development, installation of such a system is expected to mean a vast saving for every theatre operation as well as in every motion picture studio.

In the past, the expense of keeping up high voltage over great distances has added materially to the ultimate rate for power. Under the new development, cheap power can be conveyed over long distances without this excessive added cost, and consequently it will mean delivery at a cheap rate to the consumer. Another feature is that the power can be transmitted either overhead or underground any distance desired.

## GOETZ IN HUDDLE WITH ED SMALL ON PROD.

Hollywood, Feb. 4. Harry M. Goetz, president of Reliance Pictures, is here on his semi-annual Coast visit for conferences with Edward Small, head of production for the company.

On his arrival at Reliance proxy declared that production budgets for his company's group of pictures for the 1935 season would be materially increased.

## Drive-In Fever Hits Cal. Exhibs, One Show's \$1,500 Weekly Profit

## U Initials Diamond With 'Save the Pieces'

Hollywood, Feb. 4. David Diamond, newest addition to the Universal staff of associate producers will handle 'Save the Pieces,' as his first picture on the lot.

Yarn is an original by Stanley Raah and Leonard Spigelglass, scene play by John Meehan, Jr.

## Pete Smith to Call 'Em For Chi Bears on Film

Hollywood, Feb. 4. Metro is producing another short based on protestant football using the Chicago Bears to run through the demonstration of the paid-to-play game. Felix Felst, Jr. is directing, and subject will have background comment by Pete Smith.

Company made a similar short on the pro game last year, also having the Bears performing at that time.

## Midwest Circuits Return to Life; Renew Theatre Acquisition Plans

## H—I, No!

Hollywood, Feb. 4. British censors have served notice on the industry that hereafter no picture with the word 'hell' in the title would be passed.

Criticism of such titles as 'Hell in the Heavens,' 'Hell-dorado' and 'Hell Below' prompted the ruling.

## Order Labor Leaders To Testify in Funds' Dispute by Photogs

Los Angeles, Feb. 4. Effort of Local 659, International Photographers of the Motion Picture Industries, to quash Karl Struss' demand for depositions from union officials in connection with his suit for accounting against the union, stirred last week when Superior Judge Edward T. Bishop denied the defendant's motion.

Officials named will have to give deposition testimony in the office of Atty. A. Ronald Button today (Monday) but will not be compelled to produce the books on Struss' charges that some of the money collected by the union for its unemployed members relief fund was misapplied. Legal dispute is over how an asserted \$10,000 was disbursed during the past two years.

## STUDIOS LOSE, MUST PAY L.A. COUNTY TAXES

Los Angeles, Feb. 4.

Universal, Metro, Paramount and Fox will have to pay the additional \$150,000 key taxes on their combined studio frontages which the quartet had hoped to sidestep in Federal court on charges that the assessment for 1934 by county officials was exorbitant.

U. S. District Judge George Cosgrave dismissed the injunction plea on the ground that use of restraining orders against officials charged with collection of taxes is subversive of the powers of government. The remedy, if any, lay in state courts after payment of the levy under protest, the court suggested.

## Francis Back East

James E. Francis, manager of the Photophone Division of RCA-Victor, on the Coast for the past two months on a studio survey is scheduled to return to the company's headquarters at Camden, N. J. tomorrow (Wednesday).

## Drive-In Fever Hits Cal. Exhibs, One Show's \$1,500 Weekly Profit

Los Angeles, Feb. 4.

Probability of a new menace to exhibition in Southern California is viewed by local exhibitors in the announced proposal to construct four or five additional automobile Drive-In cinemas in this vicinity during the early spring. Projected sites include one on the Long Beach highway, one in the San Fernando valley, and a third in Pasadena.

Outdoor filmers contemplated it would cost a minimum of \$30,000, but with small overhead for operation, sponsors figure an easy out, and a quick return on their investment.

Only drive-in on the coast is operated by Guy Douthwaite and associates on West Pico Blvd., here. Plant, opened a few months ago, has shown as high as \$1,500 weekly profits.

Meanwhile, L. A. City council has before it a proposed ordinance submitted by the city attorney that would prohibit the projection of noise more than 50 ft. beyond the property line of any theatre or show. Action was deferred by council until Thursday (7).

Chicago, Feb. 4.

After a layoff of four years the Midwest theatre operators, both inside and outside, are starting to expand with plans for additional theatrical holdings being made in nearly every important theatre office in the territory. Circuits such as Belman-Kuts, Warner Bros., and Jones-Linick & Schaefer are spreading again after having lain dormant since 1930. B. & K. has opened three theatres in the past four months and last week added another spot to its circuit with the opening of the northside Albia.

Warner Bros. is now waiting for the completion of the new southside Beverly this summer as the first link in a chain of newly-erected theatres through Illinois and Wisconsin. Warners is known to be anxious to acquire additional holdings through this territory in opposition to the B.&K.-Great State circuit, which this year has not gotten together with Warners on picture deals. Wherever possible Warner has been able to buy from Great States, but in many towns that isn't possible since all available theatres are controlled by Great States.

J.L.&S. Plan

It is after an absence of seven years from the area theatre circuit field that Jones, Linick & Schaefer is going into a wide campaign for houses. Since the taking over of the State-Lake last year J.L.&S. has secured the Woods and the LaSalle in the loop as the start of a rebuilding policy. But Jones finds himself in bidding for pictures in the loop against RKO and B.&K. circuit backing, and is now trying to secure additional nabes houses which would place Jones on a more equal plane with B.&K. when it comes to buying power.

Negotiations are on for some half a dozen theatres in the various neighborhoods leaders even out-of-town spots, in cities where J.L.&S. has not been represented in more than 10 years.

Other circuits spreading both in Chicago and the general Midwest include Essaness, which is still angling for additional houses in town; Gregory chain, an Omklos circuit; Coughlan-Goldberg-Pearlman lineup of houses, the Leskers; the Hogan theatres and the Saxe Brigade up in Wisconsin, and the E. E. Alger group in Illinois.

## MG RENEWS HUBBARD, PROMISES BETTER PIX

Hollywood, Feb. 4.

Lucien Hubbard at Metro two years as associate producer and handling mainly programers, stays at the studio another year on an option pick-up and gets a promise of better material.

In upping his product, studio hands him 'Merrily We Roll Along,' and 'Gold Eagle Guy,' both recent play buys. Former will carry an all-name cast, so far set for stars are William Powell, Myrna Loy and Lionel Barrymore. 'Guy' will have Wallace Beery starring.

## Chertok on 'Ziegfeld' At U as McGuire Aid

Hollywood, Feb. 4.

William Anthony McGuire has engaged Jack Chertok to assist him on production of 'Great Ziegfeld' at Universal.

Chertok resigned as music head of Metro several weeks ago, after being with that company 10 years. Eddie has been signed to direct.

## Mono Dusts Off 'Healer'

Hollywood, Feb. 4.

'The Healer,' which Monogram planned to make last fall and then shelved due to weather conditions, has been dusted off and goes into production this week at Griffith Schoolmaster, which starts Feb. 12.

Studio will splurge more on the picture than originally planned, with Trem Carr now in the east having control of the home office (that the budget be upped 25%).

Film, a 'Mifredo' film type, is based on the Robert Herrick novel of the same title.



"Spelled with a Big U"  
Friday, February 11, 1995

COMEDY  
Friday, February 1, 1968

**BEWITCHING**

THE GOOD FAIR

[illegible][illegible]

Al little, new fall in have become. None and more apt the latest, captivated Sullivan, good Margiana of "the role, Every." She pin Hates Hayen, interpreted sparkling Mass, who may grace the stage of

[illegible][illegible]

*and "To come!"*

NEW YORK AMERICAN  
FEDAY, FEBRUARY 1, 1935  
'GOOD FAIRY' SPINS  
CHARMING COMEDY

[illegible][illegible][illegible]

is as the new millennium  
film goes forth, and charm, he  
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even in the earlier accompani-  
ment.

Now watch  
for Universal's  
"Thirty Seconds"

TRIDE OF  
BRAMMISTONE

**"THE GOOD FAIRY COMEDY"**  
**DELICIOUS COMEDY**  
 By KATE CAMERON.  
 The play by  
 Kate Cameron, directed by  
 William  
 A. ...

[illegible][illegible]

Frank Merrett, Regional Owen and Margaret Sullivan are shown here with the new "sign" at the Radio City Music Hall.

The Good Party is a scene from "The Good Party" which are glittering party every one the same name and places which are glittering party every one these and/or places which are glittering party every one

Alfred  
★ ★ ★ ★ ★  
Margaret Sullivan, executive director of the National Consumers League, is shown here with the staff when she met with the members of the House of Representatives on the day after the election. She is standing in the center, with the members of the House of Representatives on either side of her. She is surrounded by a group of people, including a man in a suit and tie, a woman in a dark dress, and a man in a light-colored suit. They are all looking towards the camera. The background is a plain, light-colored wall.

See!  
me!

**Miss Sullivan  
Movie Orphan  
At Music Hall**  
By BLOND JOHANESEN, at the  
"THE FAIRY"

[illegible]

**E**nchanting and whimsical little orphan girl has become the new fad since the movie herones. None has been more appealing lately than the one who captivated Sullivan, who Margaret of The Gods.

the ... She plays the ...  
Fairy. ... interpreted by Helen Mol ...  
when the sparkling ...  
comedy graced the stage ...  
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Miss Sullivan's support. With Frank Morgan, Bert Lahr and the Marx Brothers, she shall and will give the prince and princess a lively and sparkling "The Good Fairy" that is no less delightful than the previous hit. "Man, What a Party" is a new comedy by Miss Sullivan and "Little Miss Sullivan" proves that the actress is still a comedienne as well as a talented and impressive dramatic actress.

and more  
to com

NEWS, FRIDAY, FEBRUARY 1, 1935

**DAILY NEWS**  
**CITY MUSIC**  
**ROCKEFELLER CENTER**

**RADIO CITY**  
SHOWPLACE OF THE NATION where better pictures are shown  
**AND EVERYTHING**

U.S. LEGS AIR

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**MORGAN**

**FRANK IN O'FLANNALE**  
**RECALD OWEN - CLAYTON**  
**ERIC HUME - JUNE HARRIS**  
 Story by **WILLIAM WYLER**  
 Screen by **WILLIAM WYLER**  
 Directed by **WILLIAM WYLER, Jr.**  
 Produced by **CARL HARRY ROSSIGNOL**  
 Distributee: **UNITED ARTISTS**

[illegible]

**First Membership \$635**

## Shorts Conspicuous in Seattle

PRODUCE EX  
5,900 Par-Pub .....  
OVER THE C  
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.....	4%	3%	3%	- 1/4
MUNTER, N. Y.				

**Estimates for This Week**  
Alabama (Wilby) (2,800: 30-35-0)—'One Exciting Adventure' (U) and Amos 'n' Andy in person. Tuesday 'Wings in Dark' (Par) through Friday. A. & A. take \$4,000 for one day's personal appearance on the week, \$8,000. Last week 'Here Is My Heart' (Par) \$7,500, okay. Ritz (Wilby). (1,600: 25-30)—'Bachelor Girl' (MG). Fairly good, \$8,000 total.

witch minstrels on stage. Head-  
or fair \$3,000. Last week 'Dan-  
us Corner' (Radio) and va-  
2,500, light.

Empire (Acme) (1,100; 2  
Evergreen' (GB). The last E  
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erked before the expressman  
ranked his truck, and this one  
very outstanding, \$1,800. Last w  
Dragon Murder Caso' (FN), \$2  
Strand (Wilby) (800; 25)—'U

ng a nice play; good for a big \$3,000.  
Last week 'Gilded Lady' (14r)  
\$3,600, strong.

**Tower (Rewot)** (2,200; 25)—  
'Carnival' (Col) and stage show.  
House continues to give a lot of en-  
tertainment for a quarter and draw-  
ing lots of customers. Will return  
right at \$3,000, okay. Last week  
'Best Man Wins' (Col) and stage  
show, \$6,200, fair.

**Uptown (Fox)** (2,040; 25-40)

Plus stock extras. * Paid this year, on account of accumulations. \$ New 1964-70									
<div style="text-align: center;"><b>CURB</b></div>									
14%	7%	1.500	Technicolor .....	1964	18%	12%	1%	+	+
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..... Pathe, pfd.....

## MEET KAY PARRISH, NIGHT CLUB HOSTESS

Park Avenue to Broadway . . . just a few city blocks . . . yet worlds apart! . . . Bridged by a beautiful girl born to the social register, whose own kind failed her in her hour of need! . . . The vivid drama of a proud debutante whose love found root in the shadows cast by Broadway's brightest lights!

# Gigolette

WITH  
ADRIENNE AMES  
RALPH BELLAMY  
DONALD COOK  
ROBT. ARMSTRONG

FROM THE STORY BY GORDON KAHN  
DIRECTED BY CHARLES LAMONT  
Produced by SELECT PRODUCTIONS  
ASSOCIATE PRODUCER—BURT KELLY  
RKO-RADIO PICTURE





*I wish to express my  
thanks and appreciation*

¶ To my former associates and the entire personnel of the Paramount Studio for their confidence and co-operation which have rendered possible the progress the studio has made during the past three years.

¶ To the staff of the Paramount News for their loyal support in the creation and development of the newsreel.

¶ To the producers of Paramount short features for the continued excellence of their product.

¶ To the Paramount sales force here and abroad for their successful merchandising of the program.

¶ To exhibitors everywhere for their renewed confidence in Paramount Pictures.

**EMANUEL COHEN**

# A STATEMENT

*From the producers of*

"BROADWAY BILL"  
"ONE NIGHT OF LOVE"  
"IT HAPPENED ONE NIGHT"

*Inspired by the biggest front page sensation in recent years, "THE WHOLE TOWN'S TALKING," starring EDWARD G. ROBINSON, is, we believe, the most exciting picture in a decade.*

*It represents a quality of entertainment in thrills, chills, laughter and drama as fine as anything we have hitherto attempted.*

*MR. ROBINSON'S startling performance gives promise of being the most notable accomplishment of his screen career.*

*We cheerfully and confidently offer "THE WHOLE TOWN'S TALKING" for your entertainment and your profit.*

*Columbia Pictures  
Corporation*

WORLD PREMIERE  
Radio City Music Hall  
February 21st



# Picture Possibilities

**'Prisoners of War'—Unfavorable**  
PRISONERS OF WAR (drama, Frank Merlyn, Ritz). Little chance for stage and less chance for films. *Idea.*

**Three Men on a Horse'—Favorable**  
THREE MEN ON A HORSE (farce comedy, Alex. Yekel, Playhouse). Laugh show figured a clinch for pictureization. Warners backing show. Story based on a wizard at picking races. *Idea.*

**'Nowhere Bound'—Favorable**  
NOWHERE BOUND (Melodrama, Blinski, Imperial). 'Grand Hotel' idea in a deportation train. Needs rewriting but could make exciting film. *Easy.*

**'Little Shot'—Unfavorable**  
LITTLE SHOT (Dramatic farce, Pearson and Baruch, Playhouse). Nothing for stage or screen. *Idea.*

**'Crime and Punishment'—Favorable**  
CRIME AND PUNISHMENT (Drama, Biltmore, Wolfson & Sherry). With a good film writer on the job, this dramatization of the Dostoevsky story might pan out as playable screen entertainment. *Clear.*

## SOLOMON'S 26 ACTION PRODS.

Hollywood, Feb. 4.  
Louis A. Solomon has organized Puritan Pictures Corp. to produce and distribute 26 features through independent exchanges during the 1935-36 season. Solomon came here from the east last week to line up production plan and signed Tim McCoy to star in series of 10 westerns for Puritan. He has negotiations on for other name players and directors now on tag end of contracts with major companies.

Dave Gross will act as sales manager for Puritan, headquartered in New York, with Nat Ross coast representative and production head for Solomon. In getting his new organization under way, Solomon has contracts for a series of action stunt features and melodramas to be made so that releases to exchanges will start on a one a month basis in May.

On completion of his deal with Columbia, which expires late this month, McCoy goes east to join the Ringling Brothers-Barnum & Bailey circus as a feature attraction. He is due back in Hollywood in October to start his new series.

## FORMER CUTTER DRAWS DIRECTION OF 'JUNGLE'

Hollywood, Feb. 4.  
Paramount has signed Harold Young, former studio production assistant, who recently returned from handling an agency in London. Director has been in England with Korda and Gaumont-British for some time.

## Wampas Drops Group Insurance; B. R. Low

Hollywood, Feb. 4.  
Wampas voted at its last session to eliminate group insurance on its members, which has cost the press agent organization \$25,000 since its inception six years ago.

Insurance scheme called for \$2,000 policies on each member, but is being dropped through a depletion of the treasury.

Nominating committee brought in its slate for election, first Tuesday in March. Oliver Garver (National Screen Service), John P. Miles (Paramount) and Carlisle Jones (Warners) are named for president.

## Billy West to Produce 16 Shockers for Indies

Hollywood, Feb. 4.  
Billy West will produce eight melodramas and eight mystery pictures for release through the independent exchanges during the 1935-36 season.

Former comedian just returned from New York, where he set distribution for the two series of features.

## LONE FLEMINGTON'S CINEMA BULL MARKET

Biggest leap in grosses anywhere in the country recently is at the lone film house in Flemington, N. J., which has been getting big crowds since the Lindbergh kidnapping trial opened.

House is the Palace, a 750-seater, regularly doing business in a town under a population of 3,000.

## Heather Angel Moves to Radio for 'Informers' Lead

Hollywood, Feb. 4.  
Heather Angel draws the lead in 'The Informer,' John Ford's next production at Radio. Player is on loan from Universal.

Victor McLaglen has top billing in 'Informer,' with Wallace Ford, only other member of the cast signed to date.

## Pierre Joins Acad as Actor-Producer Buffer

Hollywood, Feb. 4.  
Jacques Pierre joined Academy staff Friday (3) as temporary substitute for William Conklin, actor-producer relations rep. Latter is confined to his home, convalescing from a stroke.

This is Pierre's first connection with films. An ex-legit actor, he was with C. B. Dillingham and other producers in managerial spots. He managed both El Capitan and Music Box theatres in Hollywood when they opened.

## Laemmle, Jr., Mulls Two Mag Yarns by Abdullah

Hollywood, Feb. 4.  
Two stories by Achmed Abdullah are being mullied at Universal by Carl Laemmle, Jr., as one of the producer's high budget specials. 'Flower of the Gods,' which will be published by Liberty, gets the first call for an okay.

If this one is passed up, Laemmle will look over 'Journey's Start,' currently in Cosmopolitan.

## Warners' Coast Reunion For LeRoys' Stork Date

Hollywood, Feb. 4.  
The stork is expected in the Mervin LeRoy (Doris Warner) home around the end of February, at which time the Harry M. Warners will be here, returning with Jack Warner who is now in N. Y.

## Studio Placements

Hollywood, Feb. 4.  
Clifford Jones, Princess O'Hara, U. Florine McKinney, 'Strangers All,' Ritz.  
Sidney Buchman, Robert Riskin, scripting 'On Wings of Song,' Col.  
Dorothy Tree, 'Small Miracle,' Fox.  
Al Santell, directing 'People Will Talk,' Fox.  
Mary Boland, Charlie Ruggles, 'People Will Talk,' Fox.  
Ray Walker, 'Ten Dollar Raise,' Fox.  
Frank Craven, 'Vagabond Lady,' Roach.

(Continued on page 60)

## RKO After Audubon, N.Y., Also 2 Houses in Cincy

Still in an acquisitive mood, according to trade talk, RKO's theatre people, despite their current difficulties over the east side Apollo and the Hollywood theatres in N. Y., are now angling for the Audubon, on upper Broadway, with the receiver of Fox Theatres, The Audubon is the house which Skouras named as of Feb. 1, in accordance with permission of the court, as the lease was held by Fox Theatres, although the house is under control of one of the savings banks in New York.

Additionally, RKO is stated to be after the Shubert and the Cox theatres, in Cincinnati. No money probably will be left over the Chicago deal, the RKO Midwest merely to take over the mortgage and tax responsibility, etc., from the Shuberts. It is handed that the deal also awaits Shubert okay in New York, as several thousands of dollars in back taxes are due in that situation. While RKO Midwest has okayed the deal for itself, it still has to get RKO approval from New York.

## MONOGRAM WILL GIVE TERMS TO TALENT

Hollywood, Feb. 4.  
Monogram, planning to boost its schedule to direct cost picture for the new season, will tie up several directors and probably players on term contracts. Studio is now negotiating with Reginald Barrer for a year, as first in the new plan.

Heretofore Monogram has engaged its directors on a picture-to-picture basis.

## CAL. DELEGATES EAST ON BASIC STUDIO SETUP

Hollywood, Feb. 4.  
Victor H. Clarke, producer-labor contact, left here Friday (3) for confab with Pat Casey in New York, preliminary to the union conferences on the basic studio agreement, Feb. 8.

Leaving early this week for the same confab will be Frank Brandon of Paramount, Fred Pelton of Metro, Frank Caruthers, secretary of the international's committee, and Joe Tuckey, of the transportation workers' local.

## So. Cal. Indie Exhibs in Drive for New Members

Los Angeles, Feb. 4.  
Intensive membership drive has been launched by the Independent Theatre Owners of So. Calif., with Harry Vinnicoft heading the special membership committee.

Assessors have voted to increase its initiation costs, to \$25, effective March 1, for 80 days, after which a further boost is anticipated.

## Robertson on Loan to Direct Temple Starrer

Hollywood, Feb. 4.  
Fox has borrowed John Robertson from Paramount to direct Temple Starrer, 'Heaven's Gate.' Picture goes into production Wednesday (6) with Joel McCrea, Lyle Talbot, Rosemary Ames and Herbert Mundin in the cast. Edward G. Butler will produce.

## 'Imitation' Popularity Builds for Personals

Hollywood, Feb. 4.  
Cashing in on the prominence her performance in Universal's 'Imitation of Life' gave her, Louise Beavers is set for 14 weeks of personals in the east for Fanchon & Marco.

Colored player opened in St. Louis last Thursday (3) and goes to the Ritz in New York week of Feb. 13.

## LEDERER SUED

Hollywood, Feb. 4.  
Charging that Francis Lederer pirated the part he enacts in Radio's 'Romance in Manhattan,' Jack Quartar, scenarist, has filed a plagiarism suit in Superior Court here.

Quartar alleges Lederer last August had him outline a story he had written for Lederer, which he says was incorporated without his sanction in the current picture.

## Indie Astor, Chi, Files \$300,000 Suit Against Circuits-Distributors Over 10c Admish; No Servicing

Chicago, Feb. 4.  
Sult was filed last week by the indie Astor theatre in the loop against five circuit heads: Barney Balaban, James Coston, Elmer (Jack) Miller, Edwin Silverman and Arthur Schoenstadt. They head Balaban & Katz, Warners Bros. in Chicago, the Exhibitors Ass'n., Easiness Theatres and H. Schoenstadt's theatres, respectively, and are named in the primary list of defendants in the Astor's suit for \$300,000 damages.

In the secondary group of defendants are eight distributing companies: Metro, United Artists, Fox, Warners, Columbia, Universal, RKO and Paramount. Claim of the Astor is that the primary group enforced certain rulings through the secondary group.

Damage suit grows out of the Astor theatre's appeal to the federal courts to secure the right to show major product at a dime. Distributors have refused to service the Astor for 10c flickers, being forced to refuse product, the Astor claims, because of pressure allegedly brought to bear by the circuits and their officers.

Astor's suit is based on the claim that the owner stands to lose his entire investment in the house through the burden of a 25-year lease. Exhibitor states he is already behind in the rent.

This suit is the first of a flood of various suits pending against the circuit structure in Chicago. Other cases are based on service and prod-

uct difficulties, on clearance setup. Other than the Astor case, there is the suit of the Public theatre against the circuits and distributors on the same plea for dime picture service.

Arnon Jones for Jones, Linker & Schaefer has had a case ready for some time against the distributors and Balaban & Katz in his fight for product at the loop McVickers with the suit tentatively postponed when Paramount assumed the lease on that house for a six-month period.

Other indie houses are known to be preparing suits against the circuits based on pleas for rearrangement of the clearance setup. Many exhibs have gone to the local code zoning and clearance board to seek adjustments in protection but in practically every case the plea for a switch in clearance has been rejected. Entire city on the film end has suddenly gone Federal court conscious following a flock of Federal suits throughout the country, particularly because of the mix-up St. Louis situation.

## ONLY 600 SEATS WHERE N.Y. RIALTO NOW STANDS

In order to provide more space for the preparing suits against the Campagn construction people which took over the Rialto, N. Y. building, are said to be considering a smaller theatre on the site, one which may be about 600 seats. Idea would provide greater depth for stores.

Reported that the Campagnis put \$100,000 on the line in closing the deal a few months back when acquiring the Rialto property.

## New York Theatres

**RKO THEATRES**  
86th ST. 'HELLBOY' as 'LIZ' and 'FIREBIRD'  
81st ST. 'HELLBOY' as 'LIZ' and 'FIREBIRD'  
on Broadway

**CAPITOL**  
WED. WED. M-G-M'S  
**DAVID COPPERFIELD**  
Extra—Dances in 'Copperfield,' March of Time in 'David Copperfield,' etc.  
Box \$28, \$34, \$35, \$50, \$75—City

**STATE**  
Wallace BEERY in 'THE MIGHTY BARNUM'  
Also: 'GEO. JESSEL' and others!  
Starts Friday  
CRAWFORD, GABLE and MONTGOMERY  
'Forsaking All Others'

**STRAND**  
Wed. Night 7 p. m.  
**JIM CAGNEY**  
PAT O'BRIEN in 'The Day of the Ape'  
Cosmopolitan's first for Warner Bros.  
Last Days—Paul Muni in 'Bordertown'

**RADIO CITY ROCKEFELLER CENTER**  
**MUSIC HALL**  
MARGARET BULLIVANT and HERBERT MARSHALL in 'THE GOOD FAIRY'  
A Unique picture  
ON THE STAGE—'CONTRAST' an extravaganza in music, brilliantly produced by Leonidoff.

"Three ★ ★ Stars"—News.  
ANY DAY  
25c to 1 p. m. 'The Day of the Ape'  
35c to 1 p. m. 'The Day of the Ape'  
ANY SEAT  
11 Seats 55c after 10:30 p. m.

**PARAMOUNT TIMES SQUARE**  
Myrna Loy-Cary Grant in 'Wings in the Dark'  
Midnight Shows Every Night  
**RIVOLI**  
CLIVE OF INDIA with RONALD COLMAN LORETTA YOUNG

**MAYFAIR** Broadway at 47th N. Y. Premier—M-G-M Picture  
'Society Doctor' with Chester MORRIS  
Midnight Show Tonight  
ASTOR BROADWAY AT 45TH STREET CONTINUOUS  
N. Y. Premier Fox Picture  
**UNDER PRESSURE**  
Victor McLaglen & Edmund Lowe

"GAY AND IMPUDENT ENTERTAINMENT... EXPERTLY STAGED"  
Howard Barnes—Herald-Tribune  
**Folies Bergeres**  
DINING AND DANCING  
DINNER  
SUPPER \$2.50  
10 to closing  
Nightly at 10:30  
Sat. & Sun. \$3  
**FRENCH CASINO** 7th AVE. at 50th ST. Columbus 5-7070





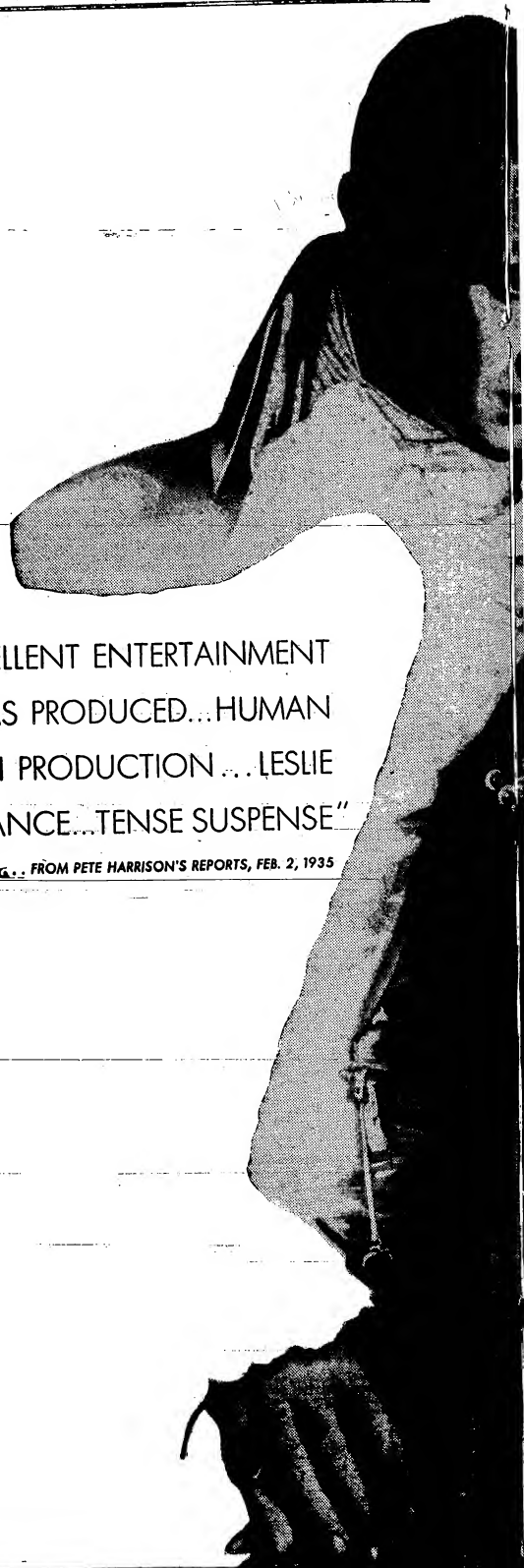
Such fun!  
**4th WEEK**  
CAPITOL, N. Y.

# AMERICA'S SWEETHEART!

The Extended Run Hit! 4th Week at the Capitol, N. Y. Held over for 2nd Week in Philadelphia, Cleveland, Dayton, Columbus, Boston, Toledo, Wilmington, St. Louis, Kansas City, Indianapolis, Youngstown, Nashville, Hartford, Richmond, Worcester, Cincinnati. Engagements extended in Akron, Evansville, Canton, Atlanta, Memphis, etc., etc. We could go on forever, every mail brings new hold-overs! Are you all set for EXTRA PLAYING TIME?

—and another M-G-M sweetheart—"SEQUOIA"

or Claudette C.

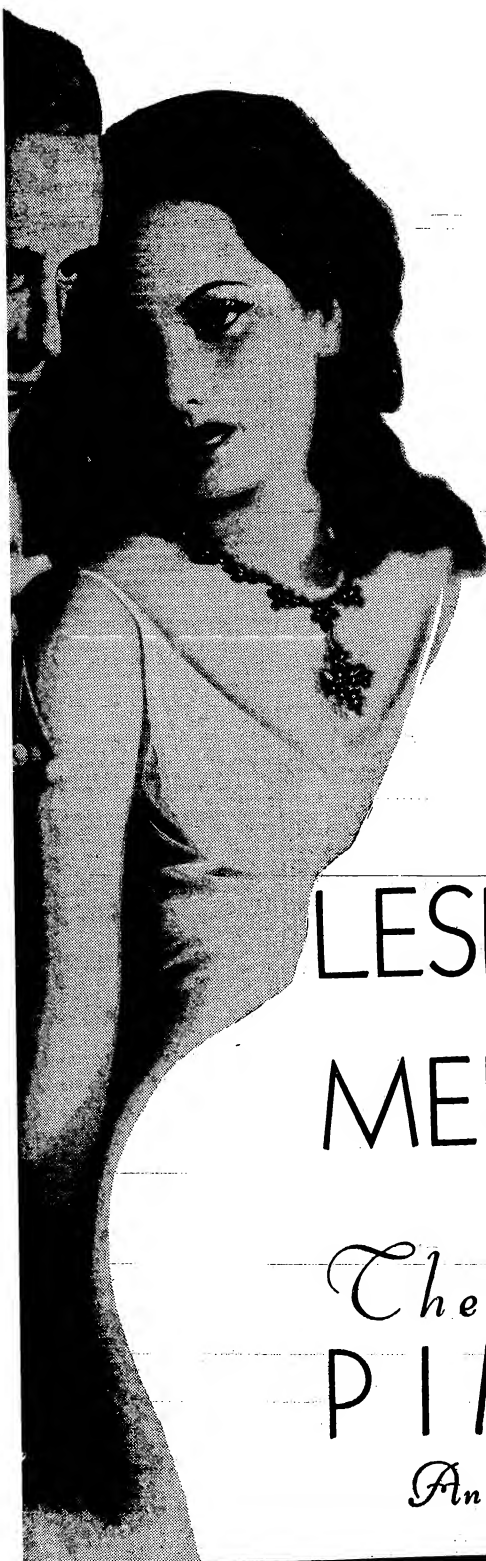


*Pete Harrison Reports:* "EXCELLENT ENTERTAINMENT  
ONE OF THE BEST. ALEXANDER KORDA HAS PRODUCED... HUMAN  
INTEREST... ENGROSSING STORY... LAVISH PRODUCTION... LESLIE  
HOWARD GIVES MAGNIFICENT PERFORMANCE... TENSE SUSPENSE"

... FROM PETE HARRISON'S REPORTS, FEB. 2, 1935

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... Watch

THE BUSINESS IT DOES THIS  
THURSDAY AT THE *Premiere*  
RADIO CITY MUSIC HALL



LESLIE HOWARD  
*and*  
MERLE OBERON

*in*  
*The* SCARLET  
PIMPERNEL

*An* ALEXANDER KORDA *Production*

UNITED ARTISTS FEB. 15<sup>th</sup>

## House Reviews

**EMBASSY, N. Y.**

The balance of the newsreel show includes nothing of particular importance, among major clips being gas famine in Mexico City. (U); Lloyd George's pronouncement for a New Deal for England. (Fox); Roosevelt birthday parties (Hearst); world Boy Scout jamboree in Australia (Par); exodus from the Saar (Par); Senator Borah on defeat of the world court (Fox), and a clip that is mildly humorous in which Rep. Gassaway of Oklahoma, dolled up in cowboy togs, tells what he thinks of Congress. Char.

# CENTURY, BALT

In an afterpiece the Rooneys return and gang up with the Timbergs for some okay horse-play and hoofing. Crowe gave the fathers and sons a hearty hallo-upon-their-exits. Between 'em, the Rooneys and Timbergs exacted 43 mins.

Screen feature is 'Clive of India' (UA). There are, further, the usual Metro clips, plus the initial 'March of Time' reel. Biz n.a.h. at the first performance, Friday.

**COLISEUM, N. Y.**

Also there is a marked tendency to forget all about their individual personalities. This item notwithstanding, even when the trio was going strongest. Encored, though, with a happy ballad, the three copper's contingent of five innuendo comics are on next to closing. Mr. Musicians, in crazy gang, bang away. The popular tunes and break up everything in sight. When they did see the end of the war, the Claret Show laughs all confined to that act. F. Hustries, wire artists with a circus background, finish. Group disband for various difficult stunts and each one taking a turn. The Claret Show, the whole assembly perched out space at the same time.

STATE, N. Y.

George Jessel and Lita Grey—Chaplin vie for honors in the star fare this week. Comedian appears early in the show and is prominent in the 70-minute run thereafter. Mostly informal repartee and all of it of click calibre. Strange, though

"Miss. Simpson is in for three songs. Still uses two pianists for class, and also the mike. Now in full control of her low-pitched voice, this songstress injects a lively interlude to the evening. Harlequin and the orchestra, 'Sweetest,' her best. Jessel back in view after an encore, and staying this time to dip into topical events at double speed. Made mention of his radio appearances and ribbing the sponsors. He is using the mike.

Adair and Richards, in 'Living Jewels,' close. Ten people in the flash, with the billed team disporting in waltzes and adagios.

Walters and the orchestra, 'U.S.A.' on the screen. Good House.

**ACADEMY, N. Y.**

This McHale lad is plenty strong with his tapping. If he were six inches taller, his dancing would appear 50 percent more graceful. Even so, he clicks in handy fashion.

Stage show runs 45 minutes.  
'Romance in Manhattan' (Radio) on screen. Fair House.

**ALVIN. PITT.**

His opening reception, even from a house that wasn't too comfortable at all, indicated they still have warm spots for him here. He's only for two weeks. Get things immediately with the chorus south and then right into Paul Gordon who clicks with some expert cycling. Lowry's still using the telephone but he had in his record. Lowc unit and it's good for laugh all the way through.

Belle Tiffany, formerly of Tiff Twins and now doing a single, followed. A looker, decked in attractive blue pajamas, she contributed

**United Artists, L. A.**

**United Artists, L. A.**

Most of it is pretty hokey, and there are a few spots that will have

There's no attempt at cohesion during the unfolding of the various types of entertainment. Ramon del Steppers opens with a somewhat risqué Can-Can; follow with a sort of South Sea Island routine and wind up with some bizarre garbling and stepping. Will Pryor in pit does a medley overture.

## HIPPODROME, BAL

Aside from his suave observation when working single, he has the Three Chicken Sisters, lampoons of all femme harmony trios, stooge for him. The gals and bounce back and forth some big badinage, then they shift over to their parodied warbling and hold the show in its tracks. Mary Livingstone also around, and makes Ben the stooge. She resorts to much of her established type of radio material, such as composing and reciting the Apollo names.

Benny is a master at libber shooting across the foots at the

## Strike Threat Dwindles

but sums up just fairly effectively. The most little act, but badly in need of a new backdrop.

John Fogarty is sandwiched in between the elongated Benny turn. The tenor's usual nine-minute chore has to be ballooned to 13 minutes, and even then he pleaded off with difficulty. A male assists him at the piano.

at least one day's work whether working or not. Only exception is that the actor may receive 'weather permitting' call. The 'on or about' phrase as to

That while the Guild asks for full pay for traveling to and from location, Academy setup only allows for half pay.

They are Helen Hayes, Sidney Blackmer, Maurcen O'Sullivan, Fred Astaire, Elizabeth Patterson, Colin Clive, Russell Hicks, William Gargan, Warren Hymen, Margaret McHugh, Mitchell and Duran, Emma Dunn and Robert Light.

# PRICE - CUTTING RILES PITT INDIES

Pittsburgh, Feb. 4. Headaches a plenty piling up on local distributors as a result of downtown price-cutting war. Indie exhibitors are screaming, all descending upon the exchanges this week with demands for reduced rentals.

What's more, Indies threaten to double feature every picture played by the Penn and Fulton, only two houses thus far to send scale downward. Whole thing coming too, just at a time when distributors had managed to eliminate 10c adult matinees in the babes and tilt the tariff a nickel.

Now there's no telling what additional reprisals the Indies will make, what with their backs to the wall. Opinion is general here that there'll be a 5c ticket locally before long.

Only house to date to counter Penn's price-cutting is Mort Shear's Fulton, a straight picture site, where admission has been reduced from 40c to 25c. Despite scale of Alvin two doors away, 40c with a stage show, too, Fulton has maintained a similar price right along, managing to hold its own with a decent break in pictures, but move of Penn, in same block, was too much for it.

WB apparently waiting to see what happens at its ace site, Stanley, where 'Right to Live' and George Givot and Ina Ray Hutton are playing this week at 40c against 'Biography of a Bachelor Girl' and 'Casino De Paris' unit at Penn at 40c. Even Penn's lone seats, which have customarily brought 15c high than regular rate, are going for 40c. Only raise is in Saturday prices, when top goes to 50c at night. WB making no move so far at Warner either, where scale stays at 40c for dual features.

Warners in a different position here than the Penn, since a downtown cut will affect entire circuit operation in this district, with particular reference to subsequent runs nabes operated by WB. Would mean a downward revision all along the line. Loew's will only the one house, Penn, here.

In meantime, Harris' Alvin also sticks at 40c for combo bills, but with only a split of U and Fox flickers to choose from and no chance of snaring the stage names Penn can grab.

## POLL L. A. FILM FANS ON PIX ADVERTISING

Los Angeles, Feb. 4. RKO Hiltstreet is conducting a poll of its patrons to ascertain the best mediums of newspaper advertisement. Patrons are asked to designate on a printed card the newspaper in which they are most likely to see the theatre's announcements, and also to indicate in what section of the city or territory they reside. Newspaper poll will be followed later by a similar quiz into radio mediums.

## L. A. House Breaks with Union, Boothmen Walk

Los Angeles, Feb. 4. Failure of Harry Poshin, operating the Million Dollar (downtown subsequent run), to come to terms with musicians and stage hands upon resuming vaude at the house last Thursday, caused a walk-out among union projectionists, who have been manning the booth for a number of months.

Overtures are still under way for an amicable adjustment of the labor controversy.

## DUBINSKY BLDG. NEAR K. C.

Kansas City, Feb. 4. First theatre building activity in this territory for a number of years is the Dubinsky Bros. starting on a new cinema in Jefferson City, Mo. House will have a seating capacity of 1,270, ready by May 1. The Miller, also Dubinskys, will be closed as soon as the new house is ready and will be kept closed during the Dubinsky lease, which expires Feb. 1, 1935. Dubinskys continue to operate the Gem.

## \$95,000 JUDGMENT

Confessed by Denver Oph. Co. In Favor of Stadium Theatres

Denver, Feb. 4. Without contest, judgment for \$95,000 against the Denver Orpheum Co. and in favor of the Stadium Theatres Corp. was entered in the Denver district court. The judgment was obtained on two notes executed in 1932 by the Orpheum Corp. to the Orpheum Circuit, Inc., and later indorsed to the Keith-Albee-Orpheum Corp., and still later to Stadium Theatres, organized to take over certain assets of the R-K-H concern. One of the notes was for \$37,104.59, plus interest, and the other for \$120.39. The request for judgment was made to get the notes on record as a recognized claim. Attorneys for the Denver Orpheum company confessed judgment. The company is now in the hands of a receiver.

The Orpheum theatre is being operated by Harry Huffman, who has a contract to buy the theatre at \$250,000. Its cost, however, of real estate, about \$1,250,000 when built two years ago. Huffman is buying from the bondholders.

## Indie Ultraphone, Widely Used in N. W., Being Sued by W. E.

Minneapolis, Feb. 4. Cinema Supplies, Inc., local manufacturers and distributors of Ultraphone, independent sound equipment widely employed by theatres throughout this territory, and Theodore Karatz, its president, were found guilty in federal district court here of contempt of court for "willfully and unlawfully violating the court's restraining order issued Jan. 7 against the sale and distribution of amplifiers which Western Electric alleges infringe on its patent." Sentence will be pronounced by Judge G. H. Nordbye on Feb. 11 when the court will hear Western Electric's motion for a temporary injunction to restrain the further manufacture and sale of Ultraphone sound equipment that includes an amplifier and loud-speaker claimed to infringe on 10 patents owned by E.R.P.I.

While finding Cinema Supplies and Karatz guilty of contempt of court, however, vacated the temporary restraining order of Jan. 7 because of the difficulty that would beset them in pursuance of their business. If it remained in effect, the judge pointed out that the restraining order might greatly disturb theatre owners so that they might become unduly apprehensive dealing with any supply house for merchandise when it appears that such supply house is being restrained for alleged patent infringement, which would work injury to the defendants.

## F.H.A. Calls on Nation's Screens for Propaganda

Washington, Feb. 4. Nationwide campaign to secure exhibitor co-operation in presenting series of shorts ballyhooing Federal home modernization campaign was launched last week by the Federal Housing Administration.

Complimenting theatre-owners for past assistance, F.H.A. asked 15,000 exhibitors about their willingness to screen contemplated series of short subjects, described as "entertaining and useful as educational." Conference with at least one producer was under way as preliminary to the ballyhoo drive.

Co-operation of exhibitors has been encouraging. Administrator James A. Moffett said in announcing new move. Thousands of booklets explaining the operations of the Government agency have been distributed through film houses and a trailer produced by National Screen Service has been widely used in getting across the idea of home improvement and Government assistance to home-owners.

Support of M.T.P.O.A. has been pledged by Ed Kuykendall, while Indie theatre-owner groups have assured Government of willingness to aid the propaganda movement.

## Two-Timing

Los Angeles, Feb. 4. Indie exhibitor, with a 15c gate, has figured a way to beat the proposed state amusement tax on admissions over 20c, as asked by Gov. Merriam in his budget message.

Exhibitor says he'll split his shows in two parts, charging 15c for initial admission, then have cashiers pass through audience for reloads at a dime for those wanting to see balance of program.

## SY'OUSE CHANGES ITS MIND ABOUT 15c LOW

Syracuse, N. Y., Feb. 4. Major circuits have concluded it was a mistake when, in a bid for new business, they slashed the matinee minimum in Syracuse houses to 15c. After some weeks with that price policy, RKO Keith's and Loew's State have reverted to the old 20c figure, while the RKO Paramount and the RKO Strada have re-established the 20c price.

Loew's State was responsible for the drop to 15c, the circuit figuring that it would build matinee business at the expense of the neighborhood and downtown low-priced opposition. RKO met the move by a similar competitive scale at its three houses, only Schlins' Eckel persisting in the 20c price.

General experience of all houses trying the cut tariff was that most matinee patrons who had been paying a quarter to sit downstairs under a dimly lit balcony and seats, and that new patronage was slight.

On the heels of that, one of the local dailies asked what sort of showmanship it that made two 'A' films, first run, available at prices comparable to nickelodeon days.

Quietly, and with no publicity, the 20c price was restored.

## INDIE OPS. FIGURE TO CASH IN ON COUGHLIN

Minneapolis, Feb. 4. Group of North Minneapolis indie nabes houses will meet Townsend penon club meetings and Father Coughlin Sunday radio talks opposition in novel manner.

Townsend clubs will be invited to hold meetings in theatres gratis, with show to be deferred until after session is over. For the Coughlin lectures they will install radios and stop screen performance while talk is on the ether.

## Deusern Lights Carthay In L. A. on Deal with F-WC

Los Angeles, Feb. 4. Deal has been struck between P. Skouras whereby the Fox-West Coast Carthay Circle, long dark, will be reopened shortly with Ray Deusern installed to operate on a percentage arrangement. Policy will be outstanding stage and screen attractions that will not conflict with other F-WC houses in the surrounding districts.

Deusern, 12 years manager of the circuit's Loew's State operation and more recently ran the Wilshire, Santa Monica, as an independent venture.

# Chi Tab Times Cuts Under Other Dailies in Setting 15c Line Ad Rate

## N. W. Indies Given 'Time' Reel After Terms' Squawk

Minneapolis, Feb. 4. Surprise development in the territory has been the selling of 'March of Time' away from the Public Circuit. Subject is going to independent exhibitors in practically all spots.

In Minneapolis 'Time' special goes into W. A. Steffer's 350-seat World theatre and in St. Paul into the 400-seat Berger Amusement Co.'s World. Monogram (P.D.) exchange here is distributing.

'Time' representatives were here trying first to make a deal with Public, but when the latter quibbled on terms, First Division decided to throw the subject over to the Indies.

## Skouras Rounds Up F-WC Operators for Look Into New Deal

Los Angeles, Feb. 4. Spyros Skouras, who arrived here Wednesday on his first Coast trip in some months, called in all operating heads and partners of Skouras Bros. in Fox-West Coast subsidiary operations, for a series of confabs. Most of the sessions were devoted to discussion of operation plans under the new Skouras 10-year operation deal of F-WC.

Present from out of town were E. L. Alperston of New York, circuit film buyer; Elmer C. Rhoden, operator in the Kansas City territory; H. J. Fitzpatrick of Milwaukee; Al Pinkelstein and Frank Newman of Seattle; Arch Bowles, Charles Thal and Richard Spier of San Francisco.

Skouras plans to start early this week, after having affixed his signature to certain papers in connection with the final winding up of the F-WC bankruptcy, and the transfer of the assets of the defunct circuit to National Theatres Corp.

## VAN PRAAG ON COAST

Los Angeles, Feb. 4. M. M. Van Praag, general sales manager for National Screen Service, here from New York. It's his first Coast visit since last fall.

## Chicago, Feb. 4.

Chicago Times, daily tab, going after amusement ads with a new active policy under the direction of Ted Weber, newly appointed chief of amusements. Times this week starts a classified picture advertisement page, selling space at 15c a line, with theatres permitted to take as little as one line daily. Weekly charge for one line is one buck.

With this new price setup, the Times jumped into the amusement ad lead as far as completeness is concerned, starting with almost 200 theatres in its classified directory. E.K. Warners, which have been using display space for their top houses, have contracted for all their theatres, putting the minor nabes houses into the Times section at one line each. E.K. Warners have signed for three lines apiece.

Times is devoting a special section to amusements on Sundays. Its 15c line rate compares with rates of 70c to \$1.05 in the other rags. Daily last week hit a new circulation high of 220,000.

## Aline McMahon's Story

Hollywood, Feb. 4. Warners has bought 'Living Up to Lizzie', Statepost yarn by Lillian Day, for Aline McMahon.



FRED ALLEN Says "The Murals of Gus and Andy's SOMERSET RESTAURANT represent George Givot's life."

How you like that one Givot?

# SELMA ALEXANDER

REPRESENTING NEW YORK DIVISION  
**AL KINGSTON, Inc.**  
ARTIST MANAGEMENT

Palace Theatre Bldg. NEW YORK CITY. Equitable Bldg. HOLLYWOOD, CALIF.

# GOMEZ AND WINONA

GROSVENOR HOUSE, LONDON INDEFINITELY

Acclaimed by the English Press as

## 'AMERICA'S NEWEST SENSATION IN LONDON'

# Frank and Milt BRITTON

And Their Band  
With WALTER POWELL and TITO

European Direction: FOSTERS' AGENCY  
American Direction: WILLIAM MORRIS and HARRY A. ROMM



## Stations Reported (Mon.) Organizing To Talk New Terms as Group with NBC

Pivotal stations with organized local production facilities are the leaders of the opposition to NBC's new set-up. These stations take the attitude that the compensation arrangement favors the weak stations but represents reductions of revenues for the enterprising units.

Station men were reported (Monday) as planning to hold an informal convention of their own, possibly in Detroit. This would be in furtherance of the agitation before and during the N.A.B. convention for the organization of an independent bargaining bloc.

Station men who prize their independence and local importance, claim that the NBC offer while okay for the listening post type of station is calculated to destroy the local affiliates' ability to continue influential enough to deal with the network as a partner rather than as a vassal.

### Cream Time

Surrender of the cream time for the privilege of network affiliation is a sore point with the rebel group. Donation of the first 15 hours (monthly) to NBC, 20% of card rates for the next 25 hours and 30% of card rates for the second 25 hours is taken to be the uniform terms. Station men interpret this as paying 75% commission for sales representation and sustaining service.

One station manager is of the opinion that the new terms would necessitate wholesale curtailment of local production and talent staffs.

"By Monday reaction from the key stations was definite enough to indicate that there's plenty of difficulties in prospect. Stations have for two years anticipated the new deal from NBC. This expectation combined with other factors has produced a feeling of chagrin."

## MUTUAL-NBC SALES' REP DEAL STILL JUST TALK

Hitch in the pending deal whereby NBC would act as a commission-collecting sales representative for the competitive Mutual but of four, or more stations is the matter of WOR signifying an exclusive brokerage contract.

This hitch is interpreted as tantamount to an insurmountable barrier to the deal going through as WOR is willing to grant only general and not exclusive sales representation to NBC. It is not expected that the proposition will get beyond a few tentative conversations between M. H. Aylesworth and A. J. McCosker. During Aylesworth's recent visit to the city Edgar Kobak, NBC sales v.-p., has been contacting McCosker on the proposition.

## Thomas in McCormack Spot for Vince Coaster

Los Angeles, Feb. 4. John Charles Thomas, now in a hospital at Sacramento, is scheduled to follow John McCormack on the Vince program over NBC.

Thomas will go on the network starting Feb. 13, most likely from here.

## Kentucky Derby Open

Chicago, Feb. 4. Kentucky Derby officials in offering the race to sponsors for exclusive broadcast privileges are now adding extra inducements for the \$25,000 asking price. Instead of being just a single race offer the track is now ready to deliver six days of racing for the 26 and grand also the right to pick up a name plate each evening from the Brown Hotel in Louisville.

Cohn is to be delivered to Col. Matt Wynn, head of the Churchill Downs track, who states that the money will be used purely in extra added purses for the races Derby week.

### GRINALDS' NEW JOB

Charlotte, N. C., Feb. 4. Archie Grinalds, WBT announcer, has resigned to accept a post as radio director for Gray-Water-Crystals in the Carolinas. Weston Edwards Butt joins the station to replace him.

### L. B.'s Idea

Washington, Feb. 4. L. B. Wilson's telegram to Scoop Russell, NBC representative here, is already something of a classic in broadcasting. It arrived a few minutes after Russell had introduced Senator Huey Long over an NBC hook-up.

"Dear Scoop," ran the telegram, "I am listening to Senator Long urge the share 'n' wealth plan. Good. Let NBC stations. I cordially approve this sentiment."

(Signed) L. B. Wilson.

## SUSTAINING PAYS AFTER 10 YEARS

Boston, Feb. 4. Thornton W. Burgess, naturalist and raconteur of bedtime stories, goes commercial Saturday, Feb. 2, after 10 years of sustaining work. Sponsor is Brewer, Company of Worcester (pharmaceutical products), airing through WBZ, Boston and WGBA, Springfield, twice weekly, Wednesdays at 8:30 p.m., Saturdays at 7:30.

Burgess is well known in New England as founder of the Radio Nature League, blending his nature talks to appeal both to adults and children.

### WGAR CHANGES MIND

Chicago, Feb. 4. WGAR, Cleveland, has withdrawn its plea for the wavelength of WIND, Ralph A. Mass station in Gary, Ind.

WIND has been operating on this wavelength for the past two years.

# NBC-AFFILIATES PLAY SCORELESS TIE IN FIRST FULL WEEK FOR CONTACT MEN

At the end of the first full week of contract negotiations between NBC's traveling contact men and the affiliated stations it looked like a scoreless tie.

Station men were making up their minds. Things seemed to be getting ready to happen but, last night, there was widespread confusion. In some quarters, cautious reticence was the keynote. In other areas the reaction to the NBC proposals had already reddened necks and sharpened tongues. High blood pressure might or might not be contagious.

A representative of VARIETY traveling through the middle western zone last week found certain tactical maneuvers in process of formulation but it was too soon to know what the affiliates might do. If anything.

## Does Network Make the Stations or Vice Versa Is the Same Old Story

Oldtimers at NBC in connection with the present nervous tension recall that similar conditions were experienced when NBC introduced its flat rate contract some years ago. At that time the problem of getting affiliates to sign caused NBC many hot and bothered moments. This is again the case as NBC seeks to supersede the existing flat-rate system with the new sliding scale arrangement.

Friction between the networks and their affiliates is an old story, of course. It's a fundamental disagreement of the value of the service performed by the network on one hand and reversely the contribution made to the network by the individual station.

Networks take the view naturally enough that basically the station is nothing without the network. In contradiction the stations feel that the network is only as good as the sum total of its component markets.

## Pete Peterson Resigns

Chicago, Feb. 4. Pete Peterson, who has been in charge of the local Blackett-Sampson-Hummert radio department for the past year, is resigning as of March 1.

Coming in to replace Peterson will be Bob Hotz, salesman with NBC here.

**\$22.50 CHECK AT NBC NOW \$18**

Economy campaign instituted by NBC with the turn of the year has been extended to sustaining talent. In addition to cutting out the more expensive sustaining shows such as that directed in the early a.m. by R. A. Roife the web has the past week been applying the clippers to sustaining warblers. Those, for example, who have been receiving \$22.50 are now on the payroll for \$18 a broadcast.

Previous expense sharing this year had been confined to the service department, with the letouts applying to hostesses, page boys and guides.

## MAE TINEE, CHI FILM CRITIC, ON COMMERCIAL

Chicago, Feb. 4. Mae Tinee (Chicago's premier picture reviewer for the Chicago Tribune) these several years, hits the paper's transmitter, WGN, this week as the starter of a regular twice weekly show for Mandel's department store.

Mae Tinee will do the pictures in the loop, besides spreading regular time of chatter.

## Politico-Financial Squabble Lands Roy Albertson, WEBR, in Court Again

### Boss Asks Background

Boston, Feb. 4. Aubert G. Fay, pres. of Carleton Hovey company (Father John's Medicine) which broadcasts from WEBR, Boston, over the blue NBC web, this week came down with two musical requests.

Medicine man asks that 'Silver Shadows,' a tango, and 'March of the Toreadors' from 'Carmen' be played Feb. 7. With the request came a note that he and his guests would be listening in that night aboard the Fay yacht, cruising off the Florida Keys.

## 'FAMILY' VICE PICKFORD ON ROYAL GELATINE

Mary Pickford completes a run of 13 weeks for Royal Gelatine March 27. Replacing her in the Wednesday-evening spot will be 'One Man's Family,' the serial which for the past two years has been originating from NBC's San Francisco studios.

'Family' previously carried the tag of Kentucky Winner's cigarettes. Penn Tobacco, roller of the Winner brand, had the sketch tied up for 36 weeks but called the obligation off at the end of six weeks along with other air ballyhoo contracts.

### Hollywood, Feb. 4.

Mary Pickford finishing her air work in April for Royal Gelatine, wants to complete her novel, which has already been contracted for, besides developing a play she has in mind which might work out for fall production on Broadway.

Buffalo, Feb. 4. Roy Albertson, Te. Olde Town Crier of WEBR and general manager of that station, has another court session last week as a result of his other spels which so far have involved him as a witness in a \$148,000 utility suit, caused his arrest for contempt of court and at one time landed him in the hoosegow for 12 hours.

Albertson's case bears on all radio commentators' because he came out in front when a local judge decided to crack down on him. In his Town Crier broadcasts Albertson had been taking free-handed swings at the jurist.

Justice Alonzo G. Hinkley of the Supreme Court was Albertson's target on the air. Albertson said the judge was unfit to preside in a stockholders' suit against the Niagara Share Corp.

Justice Hinkley found Albertson guilty of contempt, fined him and sentenced him to 30 days in the crate, maximum sentence. Albertson promptly appealed and won a reversal, after he spent 12 hours behind the bars.

Albertson then released a statement, charging the judge had come to his house and personally pleaded with him to lay off George F. Rand in his broadcasts. Rand is head of the Marine Trust Co. here and Albertson charged the judge owed the bank \$8,000 and therefore was sitting unlawfully on the case.

Town Crier was hauled into court to make affidavits. So was Albertson. So was the judge, who denied everything.

Niagara Share Corp. case, on which Albertson had frequently commented in behalf of the suing shareholders and against the big shots, was dismissed.

### Gets Red Light

Albertson's appearance in court last week was the result of a motion for a new trial of the case, which was denied. Justice Norton, who heard the motion, claimed several times with Albertson, who was called to test his credibility as a witness.

Once when Albertson attempted to make a remark, Justice Norton gave him the red-light with 'That is something you may say over the air.'

And another time he asked Albertson if he had any direct interest in the share case. Albertson said no.

'Then what was your interest?' the judge asked.

Ally as a public commentator, Albertson, Norton, made his Town Crier broadcasts locally famous over Buffalo's only indie station. For a while, especially during hot political campaigns, the 'radio' man's words were heard on nights to hear what he had to say. He cuts loose without reservations, generally against Republicans. Albertson is strong with the present Democratic administration.

When the going got rough, the broadcasts were given from remote points in secret, frequently with somebody else, identity undiscovered, reading Albertson's script.

## Lombardos Airing from Coast for Chemical Co.

Hollywood, Feb. 4. Guy Lombardo, here for an engagement at the Cocoanut Grove, goes onto the Plough Chemical Co. program emanating from here Wednesday nights.

First of the series is Wednesday (6).

## Heenan Quits KHJ for Spot in Press Bureau

Los Angeles, Feb. 4. David Heenan, publicity director for KHJ and the Don Lee Coast network, has resigned and goes to San Francisco for an executive editorial spot with the San Francisco Press Bureau.

Heenan is the fourth departmental head to leave the local station in the last few weeks. Others quitting were Paul Rickwood, production manager; Don Bernard, program manager; and Arthur Kemp, commercial manager.

### NBC Field Men Late

Representatives of NBC were uniformly late in arriving in the harbor cities where station owners and managers had been asked to stand by until the traveling contacts showed up.

Meanwhile the NBC policy of not divulging information at the home office was steadfastly maintained.

## Long Distance Phone Has Big Week as NBC Outlets Double-Check

An NBC representative reached a midwestern metropolis last week, but before he could begin negotiations with the station owner, regarded as perhaps the toughest with which NBC has to deal, a long distance telephone call came through. Rep was ordered to go into reverse gear. So he left town without even opening his portfolio.

This surprise move by NBC created a furor among station men. News of it was quickly spread by the same medium that called off the NBC agent—L. D. telephone. In fact, it was a swell week for the Bell System. One of the uncertainties due to the delays of NBC field men in presenting definite proposals the rumor market was bullish and the station men's eagerness for details translated itself into long distance calls.

### PATT'S VACASE STANDS PAT

Cleveland, Feb. 4. John Patt's vacation in Florida has been postponed by the tardiness of the NBC field man in arriving in Cleveland.

WGAD boss, as with other station execs, has been requested by NBC to stand by for the presentation ceremonies.

## Locally Produced Shows Proposed as Leading To Possible Sponsors

NBC's offer to exchange-network sustaining service for 16 commercial hours monthly crystallized last week as a chief cause of dissension. Under status quo NBC sustaining service costs \$1,500 monthly so that if donating 16 commercial hours to NBC monthly-as-payment any station whose rate is above \$100 an hour is granting NBC a boost in price for the sustainers that some stations argue is not balanced by the 20-30% sliding-scale-of-compensation on the next 25 hours of the month.

As against such an increase in the cost of unopposed programs, some affiliates took the position that stations could afford to divert the money into the creation of local talent spots. This was said to be practical in the more important markets and the proponents of this theory further pointed that sustaining programs, individually produced, and not carbon copies of shows on scores of other stations, would reflect to local credit and showmanship and increase the range of program ideas susceptible of local or national spot sponsorship.

## ASKS NBC GUARANTEE ON UNIFORM TERMS

One station owner is reported as propositioning NBC to the effect that he would sign the contract if one clause was inserted guaranteeing the station that the terms contained in his contract were uniform with the terms granted all other affiliates.

NBC reaction was not reported.

# PUBLISHERS' RADIO SURVEY

## Ballads and Sponsors

VARIETY's box of the Most Played on the Air is proving something of a hazard for singers on radio commercials. Songs most frequently broadcast, as reported in VARIETY are invariably rhythm songs (hence their appeal to orchestras). Some commercial sponsors, losing sight of the difference between rhythm numbers and ballads have been holding up the VARIETY tabulations to their vocalists as examples of what they should sing, setting forth that if the public didn't accept this type of number they wouldn't be performed so often, hence why can't the singer use them as well as the dance bands. Ballad vocalists have difficulty making distinctions and explanations for benefit of the sponsors.

## WEBS POINT OUT ALLEGED FLAWS

**Clark-Howell's Preliminary Analysis on Behalf of Magazine Publishers Brings Challenge of Procedure Used**

### SAY TIME WRONG

Release last week by Clark-Howell, Inc. of sample findings from the first four weeks' work on the program sponsor identification check it is doing for periodical publishers brought a backfire of criticism from both the network and agency experts. While the agency men confined their fault-finding to the technique used by the C-H research bureau in its survey, the webs went a step further and undertook to make capital of the findings' assertion that the average cost per 1,000 listeners able to identify the sponsor is \$1.62. The cost per thousand actual ad readers of the 10 leading pop magazines, the networks retorted, averages \$41.02. Critics of the Clark-Howell method of determining how many listeners are aware of the product tied up with the program they have tuned in declared that the C-H phone interviews are so timed as to give radio any advantage, but an even break. They contend that the number of persons actually interviewed by the bureau's corps of telephone operators is not enough to determine the size of the audience listening to any program, but less so when it comes to figuring out the percentage of sponsor identification.

Clark-Howell's outline of its radio survey states that 23 interviewers are telephoning 45,000 homes each month between the hours of 7 to 10 p.m. EST and that this work will be done during the first and third week of each month. Bureau's instructions to its makers of co-incidental calls in the 22 cities covered are that they are to wait until two minutes after starting of programs and then continue calling numbers without stopping until two minutes before the end of the program. Since this indicates, say the critics of the Clark-Howell method, that eleven minutes out of every quarter hour period is used for (Continued on page 39).

## SNYDER ON COAST FOR CBS, AND IN THE SOUP

Los Angeles, Feb. 4. Arthur Snyder from the CBS home office is here to take charge of the Coast commercials of the network, succeeding George McGarrett, who returned east to become assistant chief of commercial programs for the chain.

Snyder's main concern seems to be the 'Hollywood Hotel' program for Campbell Soup, which features Louella Parsons. In interviews with the celebs and Ted Flo-Rito's orchestra.

Contracts of both Miss Parsons and Flo-Rito expire April 1 and are currently in the discussion stages as to renewals.

W. K. Boyce, a CBS vice-president is also here, but claims mainly on a vacation.

Hollywood, Feb. 4. Lucky Strike has put in a bid for Louella Parsons for a program similar to that she is now broadcasting for Campbell Soup.

**Barker Chi-NBC Scripter**  
Chicago, Feb. 4. Al Barker joins local NBC continuity department. Barker had been in Chicago and concentrating on scripts for the Campana shows.

Fills the vacancy left by Ray Weber, who moves to the Swift company.

## Television Squawk

Flurry of excitement over television which has made the ticker tape and the press steadily during the past few weeks strikes insiders as inexplicable. There is nothing specific to justify all the whoopla except for the reports from England.

On this side there has been some agitation for a Federal subsidy with which to start a television industry. This has not been denied as yet, with official recognition as even a possibility. Trade feels that the amount of space given to television is out of proportion to the factual material at hand.

That England will go ahead experimentally with television does not, it is pointed out, mean anything. There have been experimental television stations in America for several years. Opinion is that television is far from perfected and that the best transmission to date does not go beyond the elementary stage.

## Wall Street Is Unexcited as England Moves for Leadership In Television Development

### RE-ELECT LEE ARMER

**Southwest Network Has Three New Directors**

Three new directors elected to Southwest Broadcasting System are: Col. R. M. Shaw, Oklahoma City, and George W. Johnson and A. E. Cullum, of Fort Worth. Cullum was also elected vice-president and Johnson, treasurer. David Stratton was named secretary and assistant treasurer. Dorothy Carson and Polly Anderson appointed assistants.

Lee H. Armer was re-elected president of SBS and A. P. Barrett, renamed to board chairmanship. SBS now carrying full evening schedules on six days, will soon go full time on Sunday broadcasts. Thirteen stations are in this southwest web.

## CBS Eyes Empire State Bldg. for Prestige; 2 Nets?

Columbia Broadcasting System is reported to have looked over the Empire State as a possible future site of its New York headquarters. This is part of a long-range look-ahead by CBS. Inside report is that ultimately Columbia envisages itself as consisting, like NBC, of two separate networks. Such an eventuality is thought by some observers to be neither fantastic nor utterly remote.

Columbia is said to prefer, instead of space-renting, the erection of an entirely new building occupied entirely or principally by CBS. Prestige and show window advantages of such a move as an offset to Radio City is deemed a factor.

## DOC BRINKLEY'S NEW MEXICAN STATION

San Antonio, Feb. 4. Dr. John R. Brinkley, the goat gland specialist, has purchased XEAW in Reynosa, Mexico, just across the Rio Grande from McAllen, Texas. Reported price of \$45,000 paid for the station by the American media.

He is talking about a new transmitter to cost \$100,000 and a private hospital at McAllen in addition.

**BOB STONE AT WOR**  
Robert L. Stone, former production and sound effects man at NBC, is new production manager at WOR. Arthur D. McElvaine is a new addition to WOR's sales promotional department. He succeeds Al Rose in the post.

With actual steps taken during the past week to establish a television station in London, important developments in television broadcasting are expected this year in England. The postmaster general of England announced in the House of Commons that the government had agreed to take the necessary steps to carry out the television committee report which called for inauguration of television service by the British Broadcasting Company. He stated that a television station would be set up in London the latter part of this year with the Marconi-Electrical and Musical Industries company and Baird Television company being given a chance to supply the apparatus.

Recommendations of the government's television committee called for the initial use of one ultra short wave station. Reports from abroad however, indicated that the need for 10 stations, capable of serving at least half the population of the British Isles, was foreshadowed.

In Wall Street there was little response to this news from England especially in Radio Corporation of America stocks. A spurt was expected by numerous traders in view of the fact that they saw many links between companies in England that are interested in this venture and Radio Corporation. To these speculators, it appeared fairly obvious that this corporation was in a position to take the place in the television field when it desires.

But to those in touch with the situation here, the development in (Continued on page 38)

## WEER, BUFFALO, NOT OFF ABC-HOWELL

Buffalo, Feb. 4. Rumors that WEER, only local independent station, was about to sever its connection with ABS were squelched by Herbert Howell, president of the station.

Howell says he plans no break-off with the chain and finds the connection satisfactory all around. Said he was satisfied with the type of program that ABS has been giving his station.

## Greig-Blair-Spight in Process of Revamping

J. Curtis Willson has taken charge of the New York office of Greig, Blair & Spight. Ray Linton, one of the partners in the firm, returned to Chicago last Friday (1). Willson formerly managed the Detroit branch. Linton Spight may withdraw as a partner in the company so that he may operate on his own as a rep. for stations in the Western area. Pending settlement of the Spight partnership and also Humboldt Graig's stock interest the firm will retain its present name.

William Welden, Jr., and Lincoln Smith continue as members of the New York sales staff.

## Auspicious Start for 1935 Gives NBC \$2,890,910; CBS, \$1,715,211

Both NBC and Columbia started off 1934 by establishing a new monthly high. Last month (January) brought NBC \$2,890,910 from sale of time, and Columbia, \$1,715,211. Compared to January, 1933, the latter figures represented for NBC a boost of 20.6% and for Columbia, 22%.

NBC's tally from time last January was \$2,387,127. In January '33 it was \$1,869,885 and for January, 1932, \$2,635,447.

In January, 1934, Columbia time gross came to \$1,405,948. For January '33 the web showed \$941,465 and the previous January (1932), \$1,348,842.

## LOUCKS GOES SOUTH ON LEGISLATIVE MATTERS

Birmingham, Feb. 4. Phil Loucks, managing director of the National Association of Broadcasters, has been in the South talking to radio men regarding the formation of a strong setup to fight any harmful legislation affecting radio.

In Tennessee broadcasters met at Nashville and formed the Tennessee Committee of Broadcasters. Harry Stone, manager WSM, was elected chairman and Henry Slavick of WJAC, Memphis, was chosen vice-chairman.

Leaving Nashville, Loucks went to Birmingham for a day. Alabama has had a state association for sometime.

## New Script Head at WGAL

Lancaster, Pa., Feb. 4. Maurice S. (Barney) Miller, continuity chief for WGAL for the past two years, has decided to take a prolonged vacation. He will be on furlough Thursday (31) to go to Fla. where he will spend the balance of the winter basking in the warm sands.

He will be succeeded by Paul Rosenhauser, formerly of the Advertising Department of the Armstrong Cork Company.

## McGUINNESS LANDS WGN

Bill McGuinness from Chicago has succeeded Ed Wood as New York representative of Station WGN.

Wood got the George Isaac post commercial manager of the Chicago station and has moved there.

## Stan Barnett Resigns

Baltimore, Feb. 4. Stanley Barnett, general manager at WBAL, has tendered his resignation, effective Feb. 24.

Had been with the station, which was recently sold to and taken over by Hearst, since the broadcaster was built, ten years ago. Was brought here by Herbert Wagner, proxy of the Consolidated Gas & Electric Co., firm which sold station, from Davenport, Iowa, where Barnett had been with WOC in same capacity he served here.

## Max Baer Being Peddled

Chicago, Feb. 4. Max Baer is angling for the ether again. Has made a couple of audition records which are being submitted by NBC salesman.

It's a script show in which Baer portrays a rough and ready private detective.

## Delve Into Past In Fed. Commish Inquiry on Sykes

Washington, Feb. 4. A searching probe into operations of the extinct Federal Radio Commission has set in motion last week by the Senate Interstate Commerce Committee as part of an inquiry into the fitness of Commissioners Eugene S. Sykes and Thad H. Brown to sit on the new Federal Communications Commission.

Continuing to delve into allegations fired at Sykes by Senator Bilbo of Mississippi, the committee started to work on policies of the predecessor agency and actions of the former commissioners. Principal avenue of inquiry related to the sale of broadcast franchises.

Probe just got under way at the end of the week as the committee began poring over volumes of press releases on F. R. C. policies, with major significance being attached to the method by which decisions were made and the identity of persons voting on important propositions.

Evidence refuting charges that Sykes misused his office in opposing Senator Bilbo was delivered to the committee Saturday (2) by C. A. Lacy, junior advertising manager of Jackson, Miss., who testified he used Judge Sykes' name in arranging a hookup for former Senator Hubert Stephens. Lacy said he was not authorized to use Sykes' name and efforts of Chairman Wheeler to develop the idea that Lacy was working under direct orders from the commissioner were unavailing.

Allegations that broadcast frequencies, rather than stations and good will, were sold with F. R. C. approval, were registered during the week by George Llewellyn, discharged commission worker, but strong denial of a specific accusation was made later. Dolles Golings, former Rome, Ga., broadcaster, denied he had sold a channel to Dr. Thernwald Jacobs of Atlanta, as Llewellyn contended, and said that Jacobs paid \$5,000 for time on his station and later agreed to swap frequencies.

## REASON—MATRIMONY

Mary McDermott is leaving Columbia's sales promotion publicity division.

Is taking up the housewife assignment soon. Groom-to-be is Jack Roach of CBS sales.

## Improbable Broadcasts

### No. 6—Little Wilmot Reads the Funnies to Uncle Quinn

By BOB LANDRY

Announcer—This is Sunday Morning—and let mommy and papa try to sleep—the radio is turned on full blast—and the kids are waiting for dear, kind old roly-poly Uncle Quinn to get down on his stomach, unfold the colored comic section of the Sunday Lowdown, and read the funnies to the younger generation. It's a great event, this Sunday morning ritual of Uncle Quinn, reading the funnies on his stomach—it's great for Uncle Quinn's waist-line.

Sound effect—Telephone ringing. Announcer—Hello, yes this is Timothy Tubb, the falsetto voice of the Sunday Lowdown—who is this? This is Uncle Quinn. Why, where are you? Aren't you in the studio? Have you forgotten? This is Sunday morning. You're due to read the funnies on your stomach. What's that? You say yours on your back? You're right. You can't get out of bed? Where did you spend Saturday night—you don't remember?

Program Manager—What's this? Uncle Quinn is sick in bed? He can't read the funnies? Announcer—That's right. Program Mgr.—This is the greatest crisis in my career since the Smedley Butler talk. Think of it. Millions—thousands—hundreds of thousands of kids in the family parlors with the colored comic supplement of the Sunday Lowdown spread out before them waiting for Uncle Quinn to interpret the fascinating adventures—and no Uncle Quinn.

Announcer—I know I'm unworthy, but anything to carry on. I'll read the funnies. Program Mgr.—No, thanks, old man, it's the good old Uncle Quinn. But if he can't read them there can be no spurious Uncle Quinn.

Announcer—I have it. Let's reverse the usual order. Let's have

some kid read the funnies to Uncle Quinn.

Program Mgr.—That's the best idea I've had in a long time.

Announcer—I'll rush out and get a kid.

Program Mgr.—Boys and girls, be patient for just a little while. Dear, kind old roly-poly Uncle Quinn is home sick in bed with a nurse. He can't read the funnies today, but he'll be back all smiles tomorrow.

Sunday morning carry on. But Uncle Quinn is tuned in and don't you think it would be just too jolly if one of the children to whom Uncle Quinn generally reads the funnies should return the compliment by telling this once and so that Uncle Quinn won't get out of touch with the funnies should read them.

Announcer—Boys and girls, Little Wilmot, a nephew, who tells me he is just turned eleven, has kindly consented to read the Lowdown funnies in return for what was originally intended to be the second prize in the golden gobble contest.

Wilmot—Hello, Uncle Quinn, and all you juvenile devotees of the facetious lithographs of the Sunday Lowdown. I have been requested by Mr. Tubb to broadcast my interpretation of the so-called funnies, and while I am happy to assist in meeting an emergency I must beg Mr. Tubb to excuse me from the further request that I lie upon my stomach while doing so. I find this posture incompatible with my dignity. I don't believe that Mr. Tubb mentioned owing to the lack of opportunity for arranging the publicity in connection with my broadcast, that I am regarded as the premier boy virtuoso on the tube. I am the only tube player who has ever successfully transcribed Brahms Concerto for Sound-Proof flats into a tuba solo.

Announcer—Now, Wilmot, the first rule of Moon Mullins is—

Wilmot—Oh, yes. This appears to be a melodramatic thesis with undertones of rather broad humor. The first image reveals the principle figure, "Moon Mullins" dressed in his standard livery of a motor mechanic. He is inspecting the engine. He is quoted as saying "If I don't get this motor fixed I won't get to the haunted castle in time to foil the kidnappers." Mr. Tubb, I am not familiar with the antecedents of what I presume to be a serialized narrative. From the circumstances of a haunted castle I assume that the locale of the story is a foreign country. Is this a correct assumption?

Announcer—It all takes place in America.

Wilmot—The kidnapping incident would, of course, suggest that. We proceed now to the second image. This is a transition to the haunted castle. The room has an archaic Gothic ceiling. There is a suggestion by the cartoonist that the castle is in a rather advanced stage of habitation.

Announcer—Are you listening, Uncle Quinn?

Wilmot—There is a large pillar in the center of the chamber. Tied to this is the heroine. Beside her is a menacing fellow with a rectangular jaw and a heavy beard. He wears a turtle-necked sweater. I find him a somewhat naïve figure. The evil. He is quoted as saying "I'll never find you in this castle." To this she replies, "You are a beast, but to herself she says, 'Moon Mullins will reach me in time. He never fails.' Really, this is very interesting. The cartoonist seems to be employing the split personality technique of Eugene O'Neill. I had no idea the funnies were so ingenious.

Sound Effect—Telephone ringing. Announcer—Hello, Uncle Quinn. You've been listening? You've had a relapse? We should stop Wilmot right away? We should shoot him? We can't do that. He doesn't work for the city. (A pause.)

Announcer—Boys and girls, ask daddy to finish reading you the funnies.

Wilmot—Don't you want me to continue?

Announcer—No.

Wilmot—You know I have become quite engrossed in Moon Mullins. I believe it represents a new art-form, combining special Moon Mullins sonata for the tuba.

Announcer—We now present a phonograph record of—

## Television

(Continued from page 37)

England during the week was taken as meaning much for that country but little for America. Specifically, the natural barriers and entire set-ups of these two countries differ vastly.

England is a small, compact country requiring only a small number of stations to adequately serve even half the population. In Great Britain the government-owned networks. This means that the broadcasting systems are able to put on a television program at any time they feel inclined to do so. That broadcasting is broad for a high quality broadcast, either in that country, the listener can protest to the government, and nobody else. The usual procedure seems to be that such protests are duly filed and steps may or not be taken to improve the subsequent program. It is an entirely different story in the United States. The first obstacle is the wide territory to be covered, and the second is the necessity of a complete new network would-be the first pre-requisites.

If the television program was not up to the standard of radio broadcasts, the protests or bad reactions would have serious results.

To present a high quality television program would require virtually the same use of equipment, money, and staff as radio, and in addition, a major film producing company's studio. In fact, the act would have to rate with the legit stage in New York because the cost would be so high for re-takes. And no opportunity would be given to read the script, as is now prevalent with radio.

In order to supply such a set-up for television, the expense would be great. When and if there is sufficient money in a big industrial company's budget to provide for such a costly studio arrangement, then America will be ready for television, broadcasting comparable to the present successful radio broadcasts.

A more simplified type of television broadcast or wiring of photographs and pictures may now be used in this country. It is best known as facsimile broadcasting or wirephoto operation. This can be done either by radio casting or by use of wires.

The most successful operation is by wire, with a talking circuit and loud speakers enabling operators to keep in touch with stations receiving the wired or telegraphed object.

This system was inaugurated on a big commercial scale by the Associated Press early this year. It serves 51 newspapers in 25 different cities daily with photographs. The control station is located in New York City but the events of the day are carried to the 25 cities over a 10,000-mile leased wire system.

This type of facsimile operation differs primarily from actual television in that the object transmitted or broadcast is stationary. With television the object may be in motion plus the addition of sound.

The A.P. employs a wire system in its facsimile operation, but transmission of stationary objects may combine use of air waves and a wire network. Television may be broadcast with or without a direct wire.

Baltimore, Feb. 4. Local plant of the Western Electric Company announced that it was the manufacture of a wire cable which is touted by electrical engineers as the thing which will remove the last remaining obstacle to the broadcast of television.

According to the engineers, it is necessary, in transmitting a clear image to have a means of carrying wide bands of electrical frequencies. For some time now it has been possible to do so, but only at a prohibitive expense that excludes all commercial feasibility and, when transmitted, the high frequencies have been strayed by interferences. Now, a cable which has been developed in the labs of WEPI, is only half an inch in diameter and flexible as a telephone strand.

Studebaker Boss in N. Y.

Paul G. Hoffman, president of Studebaker, is in New York on a business trip, visiting the headquarters of the company in order to re-evaluate.

Before leaving for New York the Study-praxy, headlined in Chicago with Rocke Williams & Cunningham agency on renewal of the Richard Himber Studebaker Champions program to run into the summer.

## New York Radio Parade

By Nellie Revell

Some time back the sponsor of an amateur show airing over WBIG in Greenboro, N. C., visited N. Y. and saw one of the Feenamint broadcasts. He conceived the idea of giving the winner of his local amateur hour a trip to N. Y. to compete in the chain amateur show as a prize. Idea okayed by Feenamint and is now in operation over WBIG with other stations of CBS having amateur programs coming in Philadelphia, Kansas City and Seattle stations will be the next to join. When a program is not sponsored the station is giving the trip to N. Y. as first prize.

Meantime the Skouras theatre chain, which co-operates by giving winner of Feenamint show, which airs from N. Y., a week in vaude at their ace house, is ready to join stunts with the rest of N. Y. theatres. Winner of local contests will get a booking at the local Skouras house before coming to N. Y.

Paging a Breakdown

Nat Wolff of Rocks Productions tripped to Buffalo for his dad's 60th birthday last week and very happy to get out of town. Nat almost went screwy last Tuesday eve. He did production for 'The Street Singer', 'Borrah Minevitch', and 'Dark Enchantment', three programs that follow each other on the air at WOR. And then hopped a cab to the Mark Hellinger's apt for a last run-down of the script, on the Hellinger show which airs on Wednesday eve.

Einstein No Longer Semi-Pro

Harry Einstein, otherwise 'Parky' of the Eddie Cantor show, has resigned his job as an advertising executive of a Boston furniture concern to work with Cantor. Eddie is guaranteeing 'Parky' as much money on the year as he would make were he still looking after advertising copy. And Einstein made \$20,000 last year. Funny story in how Cantor met Einstein. Eddie in Boston did a charity dinner. One of speakers was Einstein. He had been doing his 'Parky' act in local circles for sometime. Folks running the affair thought 'would be good laugh to spring him on Cantor.' So Einstein, when called on for a talk, went right into his routine. This was on a Thursday eve. He was on the Cantor show the following Sunday.

Scrambled Notes

N. W. Ayer sold American Tobacco Company the series of yams about the Northwest Mounted Police for Half and Half tobacco. Show airs on Feb. 7 over WJZ chain. The Three Scamps make their initial CBS appearance on the Bond Bread show on Feb. 17. Sam Hammer of Capitol theatre publicity staff to Brooklyn to cover when WRN Brooklyn studio as special assistant to Major Bowes. Robinson Crusoe Jr., exited from CBS Saturday. At NBC, on air in Tulsa, a page with a large map makes the rounds of reception floors, and compiles list of names and addresses and businesses of folks sitting therein. Lucille Singleton is looking after CBS auditions in place of Theodore Gannon. CBS elevators must stop at the 20th floor on the way down at all times. 'Tis the executives' floor. Joe Haymes did the arrangements for 'Lullaby of Broadway' on the last Valley broadcast. This is a novelty place Valley already has two arrangers on his staff. Tom Chaites, ex-CBS, is now announcing at WMCA. Bob Saunders left OCA to join Irving Mills as a band leader. Tom Neely, who looked after the script of 'The O'Flynn' with Bill Baehner, has been pinch-hitting as director of that show in place of Baehner, who is ill in hospital. Later developments may find Hal Hackett of MCA, which firm sold Esso the show, taking over the directorial reins.

Short Shorts

J. A. P. Gude, publicity smir of CBS, to Chicago last week. Louis Mindlin, newcomer to CBS Artist Bureau, is handling band bookings. The stock has a date with the Hal-Kemps in April. Tim Ryan and Irene Nobelet to more vaude in Detroit and Chicago. Harry Lang and Lucille Squire of WINS have been signed for 'Around Radio Row' short by Warner Bros. Mary Barclay, WINS contract, returns from a two month visit to Europe and will appear with Billy Duncan and Bela Rozsa. The show originates from Lew White's organ studio. Carol Dela, soprano soloist with the Modern Chorus, has been screened by Par. Joy Lynne, of the Don Bestor corp, visited folks in home town, Columbus, O., last week. Huey Long airs on CBS on Feb. 10. An official request from CBS Washington, D. C., came through asking for no fanfare on this talk. Waring switches his broadcasts from Mecca Temple back to CBS Playhouse No. 1. Which means less duets for the oakley moochers since from 3,000 seats at Mecca show is cut to about a 1,000 at Playhouse.

Stand By

Visitors to CBS in N. Y.: J. T. Lyons, manager of WCAO in Baltimore; Burl Squire, commercial manager WHK in Cleveland; J. R. Lounsbury, manager of WGR; Fred Palmer, manager of WBBB in Columbus; Genon Jeffers program manager of KUTV in Tulsa; and Thompson Guernsey, manager of WLBB in Bangor. The Pinky Lee's expect an addition to the family. They will head East early in April for the occasion and return to Frisco and Carefree Carnival later in the summer. Edward Neil was granted leave of absence from his programs and flew to Hollywood for a screen test. Dixie Janis has been given a sustaining spot. Syracuse, N. Y. NBC network. NBC news are compiling their 1934 air scripts into book form. Al Lyman will have his band in action at the opening of Jack Dempsey's restaurant on Feb. 17. Amelia Earhart will have a dramatized part in the Red Davis series during the week of March 11. She has been signed to an exclusive contract for these performances. Minneapolis Symphony starts series for Gracie. Firefighters of 20th Calver Club of Bridgeport, Conn., will feed Bob Taplinger of CBS press on Feb. 6.

Gossip

Fred Allen was asked to drop one of his actors from the show. Seems the amateurs run into too much dough. Want to can an actor who helped put show where it is for amateurs. Allen says no. Fred Humphreys joins the Swift show. Dick Fischel, ex-Alan Alan football star, will appear on the show. Fred Waring will have his band in action at the opening of Jack Dempsey's restaurant on Feb. 17. Amelia Earhart will have a dramatized part in the Red Davis series during the week of March 11. She has been signed to an exclusive contract for these performances. Minneapolis Symphony starts series for Gracie. Firefighters of 20th Calver Club of Bridgeport, Conn., will feed Bob Taplinger of CBS press on Feb. 6.

## WBEN Screens Sound Effects From Public

Buffalo, Feb. 4. Local station production men are exercised over destruction of illusion on the part of the public by exposure of radio sound effects. Edgar Twamley at WBEN is on record as against such disillusion, and not only discourages attendance at broadcasts but deliberately screens sound effect apparatus in the studios to prevent spectators from ascertaining how sound effects are created. Particular object of hard feeling from Buffalo studio men is Roy Nagle, former time-salesman with a local station who has been appearing before local clubs and talking on backstage in radio. Nagle not only exposes sound effects but carries along numerous gadgets to illustrate how effects are created.

## NOBLE BAND ON COTY, STARTING AT \$2,750

Ray Noble's Coty band, when he starts Feb. 20, will number 16 men. Noble is paid \$2,750 for the first six months and \$3,750 for the second six months. Half-hour program starts on WBEN-NBC via the Elmer agency. Al Bowly, Noble's regular recording tender, and a femme songstress will round off the program.

Noble has made application for American citizenship on the regular quota, this being the sole means of getting around the A.F.M. restrictions. Rockwell O'Keefe handles him.

As a prelude build-up Rudy Vallee will preside as host, along with dance marshall, at a dinner in honor of Noble on Feb. 12.



# Expect ASCAP Trial in April; Wax Deals All Expire Dec. 31

All licenses issued by the Music Publishers Protective Association for transcription purposes now carry a provision which limits their validity to the end of 1935. Except in the case coinciding with the time when the majority of the licenses given to stations by the American Society of Composers, Authors and Publishers will have run out. Agreements signed by the MPPA and the World Broadcasting System last week, extending the latter's authority to act as agent in collecting the commercial fee on the WBS library service, has Dec. 31, 1935, as the expiration date. World's original agency contract expires Feb. 14.

John G. Paine, chairman of the MPPA and trustee, could not, if he wanted to, issue licenses for a term beyond this Dec. 31. Without the required performance license a station could not lawfully broadcast one of these transactions, even if the mechanical fee had been paid to the copyright owners. Publishers who are members of ASCAP have stipulated that Paine, as trustee, in issuing any contract on their behalf make this expiration date clear so as to avoid any conflict in the event something happens to the present licensing setup between ASCAP and the broadcaster.

Government's anti-trust action against ASCAP and the MPPA is expected to be set down for trial in April. Judge Knott of the New York Federal Court has yet to hand down his decision on the prosecution's motion, made four weeks ago, that the Society's answer to the monopoly charges be stricken out.

## Canadian Station Assn. Deems Price Mention Key to Air Success

Vancouver, B. C., Feb. 4.—Canadian association, embracing within its membership all radio stations holding commercial licenses west of the Great Lakes, and those owned and operated by the Canadian Radio Commission, has formed. Full title of the organization is Western Association of Broadcasters. First meeting was held at Calgary.

At this first convention meeting went on record as favoring price quotation in radio advertising. It was the opinion that Canada will not receive adequate radio service until price quotation in advertising is permitted, and that when the present obstacle thereto is removed, private interests will furnish Canada with an adequate service of chain and local broadcasting which will eventually compare very favorably with that of the United States.

Limiting regulations have so far prevented broadcasting from selling the Canadian advertiser. Later is prevented from any mention of price.

## WIP Steps Out

Philadelphia, Feb. 4.—First step by WIP to build itself into a vital force in the local market was the snaring last Wednesday (30) of a 1,000-watt full time operation permit from the Federal Communications Commission. Studio had been broadcasting experimentally over a 500-watt license.

New station and offices under construction will be completed by March 1. WIP was Philly's pioneer station but faltered several years ago. Present steps mark an effort to disassociate from the Gimbel Brothers' store in favor of independent studio operation. WIP is on the ABC web, prey Ben Gimbel but the show built around the station being part of the chain's directorial board.

## Chic Sale's Show

Los Angeles, Feb. 4.—Coast NBC Shell Show, which has used film shows as tops in a variety show Monday nights, went into a new routine tonight (4) with the show built around the hostess, In a new series Sale is portraying the character of operator of a hick hotel and m.c.'s the show, ostensibly being staged in the hostess's dining room.

## Femme Efficiency

Cleveland, Feb. 4.—Mrs. Edythe Melrose, manager of WJAY, finds her sex a speed-up factor in closing time sales. She wastes no minutes when closing on a sale. She is not expected to know anything about golf, football or—in consequence there are no long-winded digressions from the business at hand.

## WLAC, N'VILLE, BOUGHT BY J. T. WARD

Nashville, Feb. 4.—WLAC has been sold by the Life & Casualty Insurance Company to J. Truman Ward, former official of the company and superintendent of the station. Transfer is subject to approval of the Federal Radio Commission. Station will retain its original call letters, but will move into new quarters in the near future.

Station will now be operated as WLAC, Inc., with Ward as president and treasurer; F. C. Sowell, Jr., vice president and secretary, and W. F. Carpenter, general counsel. These three will comprise the board of directors.

In outlining future plans for WLAC, Ward said affiliations with the Columbia Broadcasting System and the World Broadcasting System will be continued under the new ownership. The station under its new management, will make a specialty of programs of local civic interest, such as important meetings of local clubs, conventions and the broadcasting of important addresses delivered in Nashville.

The transmitting station on the Murfreesboro road will continue at its present location. Negotiations are under way for a new location where downtown. No change is contemplated in the present power station. It will continue to operate on 5,000 watts. WLAC is among the pioneers in the broadcasting field, having been licensed first to operate in 1925. Since that time WLAC has maintained a daily operating schedule of approximately 17 hours continuous broadcasting.

In the radio field, Ward served for three years as a director of the National Association of Broadcasters and was elected president of the organization at its convention in Cincinnati last year. He was recently selected a member of the committee of 38 to promote the President's birthday bill.

F. C. Sowell, Jr., vice-president and secretary of the new broadcasting company, has been with WLAC as production manager since 1930. Prior to that time he was connected with WMBC, Detroit, and before entering the radio field was a newspaperman. For the past three years he has served as vice president of the International Radio Club. W. F. Carpenter is a member of the law firm of Goodpasture & Carpenter.

## Benny, Spitalny Object to Spotlight Ads in Charity Show—Take a Walk

Jack Benny and Phil Spitalny walked from the musicians' relief broadcast last Sunday (3) which Schaefer had underwritten because of the way the commercial billed the charity angle in the spotlight ads it carried in the New York dailies. The ads, claimed Benny and Spitalny, gave the impression that all the artists listed had been retained by the Schaefer Co. Benny and Spitalny also objected to the fact that the line, "For the Benefit of Musicians' Emergency Relief Fund," was not only at the ad.

Other acts that failed to show, though billed, were Charles Win-

## WLW Case Separately Considered By Broadcasting Trade; Do Not See Any Slap at Super-Power

### CLARK SKIPS CONFAB

WLW Exec Doesn't Show Up at Mutual N. Y. Meet

John L. Clark, gen. mgr. of WLW, Cincinnati, did not attend yesterday's (Monday) meeting in New York of the Mutual Broadcasting System. Clark, however, was kept in telephone communications with the conferees.

WGN, Chicago, was represented at the gathering by E. K. Ahlgrim, as delegate for WX-2, Detroit. Others in on the talk were Alfred J. McCosker, WOR pres., Theodore Streibler, WOR gen. mgr., and Fred Weber, who the week before joined the network as co-director of its operations.

## New York May Tax Stations 3% as Utilities

Move is on among New York city's Board of Aldermen to have broadcasting stations classified as public utilities and bring the business done by the local outlets within the proposed new utility tax. Later tax, which calls for a 3% tax on gross income, is due to come up before the board today (Tuesday). Proponents of the radio phase of the measure figure that the tax would bring about \$370,000 in new revenue to the municipality's unemployment funds.

Broadcasting tax would only apply to local programs and the coin derived by local stations when the latter are used on a commercial hookup.

## AGENCY MAN GETS WLW CONTINUITY POSITION

Cincinnati, Feb. 4.—Walter Sagmaster, fresh in radio, is new head of continuity department for Croley's WLW and WBSA, succeeding Sam Wilson, resigned. Sagmaster, a native, wrote a copy for J. Walter Thompson agency's local and Chicago offices for six years and filed same post here with the Ralph H. Jones office for a year.

Wilson moves to Columbus, O., to become clerk of the Dispatch.

### Columbus' Air Break

Columbus, Feb. 4.—Since Amos 'n' Andy dropped off WLW Cincinnati, its super-power, the local stations now find it possible to take a Columbus listener and sell the 7-7:30 section for sponsorship.

Previously the blackface pair monopolized Columbus, but without a Columbus outlet.

### Cincinnati, Feb. 4.

Pending decision on an appeal of the Federal Communications Commission's denial of rights to 500,000-watt transmission at night, WLW is continuing unlimited operation at that signal strength. Oral hearing on subject slated for Feb. 11. Court of Appeals in Washington.

First six months' permit to the Croley station for 500 kw broadcast expires Jan. 31. Renewal was refused by Federal commission on complaint by Canadian authorities that WLW super power interfered with reception of a Toronto station. Commission granted WLW authority to carry on with 500 kw during daylight and ordered nighttime power restored to the station's former 50 kw strength. Croley's execs immediately countered with an appeal.

Action taken by the Federal Communications Commission against WLW—500,000-watt station—is not regarded by prominent broadcasting engineers as foreshadowing the knell of super power in the United States. In some cases the order forcing the Cincinnati outlet to return to 50,000 watts is not even considered a setback for the industry's advocates of light voltage transmission. These advocates contend that WLW's operation as a 500-kilowatt station has proved anything but a technical failure and that the way is still open for others to obtain the necessary permission to undertake similar experiments.

Behind the FCC's move against WLW, it is reported in broadcast circles, were other elements than those involving interference. It is giving no intimation of these other elements was a delicate personal situation that has existed for some time. As a result of this conflict of personalities it is probable that administrative factors to accept and act favorably on the arguments submitted by the supervisors of Canadian broadcasting.

Advertising agencies and sponsors immediately instituted inquiries as to an adjustment of time rates by WLW in view of the FCC order to clip the power. WLW is giving no intimation of its policy until such time as the appeal is heard.

### Cincinnati, Feb. 4.

Station CFRB, the plaintiff against WLW's super-power, denies any intimations from the American side of the border that its equipment is in any respect inferior. Station's general manager, stated that CFRB is "as modern as any broadcasting station in the United States."

Station is properly monitored and conforms with all technical regulations of both Canadian and Federal commissions, Sedgwick declares.

## COWLES RESHAPE IOWA BROADCASTING MAP

KSO will continue as the Des Moines release for NBC's blue line. Call letters for the outlet in that town, which is slated to carry CBS programs in the future, will be KRNT. Both stations are owned and operated by the Cowles Bros., publishers of the Des Moines Register.

In the reshuffling of the Iowa outlets they control, the Cowles are moving WMT from Waterloo to Cedar Rapids and switching KSO from wavelength 1370 k.c. to 1450 k.c., which was formerly occupied by KWCR, Cedar Rapids. KWCR will disappear entirely from the picture and the call letters KRNT assigned to 1370 k.c. Both KRNT and WMT will be equipped with new transmitters.

### Reid at WMCA

Lewis Reid, former associate program director at WOR, New York, has moved to WMCA to take over duties as program director. Change in management will be effective this week.

Reid was with WOR for five years. Dick Fishel has also been appointed in charge of special events for the Flamm station.

Continental Baking on Jan. 20 sponsored a similar broadcast.

**WEEK OF FEB. 5 - FEB. 11**

Abbreviations: Su (Sunday); M (Monday); Tu (Tuesday);  
W (Wednesday); Th (Thursday); F (Friday); S (Saturday).

on | Henri, H. & Mod. | WEAF

Black Globe Violet Seclaire

Frances Hooper ; Blackett-S-M

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# RADIO SHOWMANSHIP

(Stunts, Tie-Ups, Program Novelties)

## Outstanding Stunts

**PEPSODENT SELL-OUT**  
WCKY, CINCINNATI

**WCKY Empties Shelves**

Cincinnati. Pepsodent prize contest, which ended Saturday (2), was biggest sales-promoter in drug trade here and this is a merchandising-conscious town. Stunt resulted in a clean-up of stocks of the sponsor's toothpaste and antiseptic at most downtown and neighborhood outlets. WCKY, only Greater Cincy. station carrying the Amos 'n' Andy program, was swamped with phone calls from listeners anxious to locate dealers with available supplies of Pepsodent products, labels from which had to accompany tries at the chunk of heavy cash awards. To satisfy 'em, and at the same time perform a special service for the client, L. E. Wilson, station pro, has his switchboard crew and biz department hands working overtime checking and double checking on retailers in motion to meet demands.

**Serial-From-Stage**

Reading, Pa. When Spencer Bentley, manager of the State theatre, inaugurated his 'Skipper and His Crew' program over WRAW he had Heber Ermentrout, mayor of Reading, as guest announcer. Program is broadcast from the stage of the State, with Bentley as master of ceremonies. Bentley, who is a former legit and radio performer, will present his new program every Tuesday night at 7:45 o'clock over this station as an exploitation feature for the State theatre.

**Auto Show Tie-Up**

St. Paul. Local auto show, which opened Saturday (2) in the munie auditorium to run one week, under auspices of the two-local dailies, has programmed radio artists from WTCN (Pioneer Press-Dispatch owned) to carry the entertainment burden. Station has erected a glassed-in, sound-proofed studio within the

main auditorium, located so that the mike performers trot out their tricks in full view of the audience. Opportunity for the customers to see the technical side of broadcasting is afforded by the mixing board operator seated in one corner of the studio in such position that visitors may see in plain view the dials and controls.

Last year's gas buggy show attracted 8,000 paid admissions. With good weather, the two good days already under the wire indicate this year's edition will hit the 10,000 mark.

**WICC's 'Open House'**

Bridgeport. 'Open House.' Sunday variety hour of WICC, such a click in first broadcast that show will now be located in Jungle room, Hotel Stratfield niterie, to accommodate free-ticket demand.

Sustainer, m. c.'s by Joseph Lopez, station supervisor, uses WICC regulars and new talent. Comedy continuity achieved chiefly by use of Jimmy Milne and George Bowe, staff announcers, as stooges.

**Invisible Ink—Not Red**

Schenectady, N. Y. A bottle of invisible ink, with a kit containing equipment for using same, is being offered on 'Stories of the Black Chamber,' a three-night-a-week swing over the NBC red web, to those who send a book marked 'Foran's Toothpaste.'

No-see writing fluid is ballyhooed as a thing used by spies, etc. Dealers can mystify members of the family and friends with it. Bears the name of 'Major Yardley's.'

**Fan Vs. Pan Mail**

Philadelphia. WIP has lately been going heavily for programs with civic and public service touches, following through on determined efforts at copping the local showmanship crown.

Studio now inaugurates a new program known as 'Philadelphia Features,' which brings to the mike weekly officials of various groups and city departments engaged in civic betterment, purpose of the show being to create a closer understanding by the public of civil affairs.

Last couple of shows included

talks by Automobile Clubs on driving regulations and their intricacies, and by various Magistrates concerning the speeding ticket situation. Future shows call for City Hall department heads in informal yarns about where the local taxes go and why. Series has created a large amount of interest here, and the fan mail (or pan mail) is heavy.

**McCann-Erickson's Cartoons**

New York. McCann-Erickson handling Field Ice Cream account over WOK, New York, is using a series of cartoon ads in the dailies as extra ballyhoo. Borrah Minevitch is featured and gets mention, along with the station and actual hour. But the name of the sponsor is not mentioned.

Series of ads in News, World and Sun. Gist of the copy is to tune in on the harmonica band.

**Bring Your Own Judge**

Dallas. Alex Keese, WFAA program director, is conducting experiment in radio debates between teams of Dallas high schools. Five teams will be allowed three-quarter hour programs.

Teams can select own judges.

**Concerning Coal**

Des Moines, Ia. Promotion of Iowa labor and industry is reflected in a new WHO program that is spotted for a series during the cold weather and has to do with the use of Iowa coal throughout the state. The Iowa Coal Institute, Albia, Iowa, is sponsoring the program, Hugh W. Lundy, secretary, being in charge.

Program is highlights Iowa product from all angles, including mining, use, costs and benefits to residents of the state.

**KMBC's Dancers**

Kansas City. KMBC went out of its way to give listeners a chance to catch an awful of the President's Birthday ball this past week. After initial broadcasting of the stage entertainment, controls were switched to a lapel microphone on Paul Fonda, staff technician, who was dancing with Renee Long, fashion stylist, in the crowd.

Conversation of the couple was carried over the line, also remarks of others close by. Various informal bits of chat about the gathering made the program quite unique. Clarence Rand, tenor sang some songs into the lapel hook-up.

## Radio 'Free Press'

Reasoning and group attitude, taken with regard to radio news-casting by the publishers is expressed in an article by E. H. Harris, printed in a bulletin of the Southern Newspaper Publishers' Assn. Central thesis expounded is that the press is the only reliable source of truthful and unbiased news.

In the language of Harris, "when the guarantee of freedom of expression was placed in the Constitution the newspaper automatically became the protectors of the civil and political rights of the people." Therefore the press owes a duty to its citizens to do its full share in preserving radio broadcasting as a free medium for the presentation of the facts.

Trans-Radio, principle and most successful holdout from the official publishers bulletin service to radio, has recently divorced itself from the Havas bureau of France to anticipate the publisher's in-nuendoes that one part of its factual fountain was under foreign propaganda influence. Publishers had visualized this connection as a swell target for criticism, with Congress as a possible arena of debate.

Excerpts from the article detailing the publishers' official arguments follow:

"The best that can be said about radio broadcasting in the United States is that it is only half free, because it is operated under a license and is subject to the influences of the political party which is in power.

"No matter how insistently the government proclaims its belief in the doctrine of absolute freedom of expression, there is no definite assurance that this freedom extends to radio broadcasting. The threat to its freedom lurks in the fact that the license of any station may be revoked at the slightest provocation.

"The essential difference between news collected by a newspaper and news collected by a radio broadcasting station is that the press is a free institution and radio is a licensed medium, dependent for its existence upon a government grant.

"The operator of the African tom-tom speaks with the authority of his chief. The Town Crier carried the authority of the town government. The modern broadcasting station must speak either with the authority of its government, or, as is the case in this country, with the authority of the regularly organized news agencies, which are accepted sources of authentic news. In speaking of authentic news sources, I refer to The Associated Press, the United Press, and the International News Service, three competing national press associations, which function independently of each other and, serve the American public through the daily newspapers.

"The American press associations are an asset of American democracy, because they enable our citizens to obtain the news of the world from unbiased sources.

"The contention of the newspapers is (1) that no agency directly or indirectly under government license should function as a news gathering organization, (2) that important news bulletins should be supplied to the broadcasters by the newspapers, in order that the general public may enjoy complete protection on news obtained from reliable sources, (3) that the broadcasters cannot sell these news bulletins to an advertiser, because this news service must be supplied by the broadcasters as a public service to the listeners."

## An Acknowledgement

In behalf of my associates on the Jello Program and my author, Harry W. Conn, I wish to express sincerest thanks to the Radio Editors of the United States and Canada for voting my program the winner of the 1935 World-Telegram Radio Poll.

**JACK BENNY**

Direction NBC ARTISTS BUREAU

Personal Representative ARTHUR S. LYONS

## WGN Show from B.&K. Chi Stage Off After Benny Plugs Rival Paper

Chicago, Feb. 4. Exploitation cooperative broadcast of a Balaban & Katz show over WGN, Chicago. Tribune station, every Tuesday evening has been discontinued following a burn on the part of WGN over the type of show B. & K. has been sending over the transmitter. For some time the station has been complaining that B. & K. must improve its radio production for the WGN broadcast and not merely slap several of the vaude acts together to fill up the 30-minute period.

But the blow-off came last week with the broadcast of Jack Benny, who was playing the B. & K. Chicago theatre. Benny at first refused to go on for the sustainer, claiming that his vaude contract didn't call for broadcast. B. & K. brought out the contract and showed Benny a clause which specified that he must go on the ether.

Burning over this, Benny okayed the WGN show and when on the air then spotted plugs for the Herald-Examiner, the morning rag rival of the Tribune, which owns WGN.

Plan is being worked out now whereby the B. & K. broadcasts will be resumed only as a musical show. Show will likely hit on Saturday p.m. and carry a seven-piece orchestra with no talk.

## WCAO, Baltimore Sun in Tentative Exchange Pact

Baltimore, Feb. 4. WCAO, local outlet for CBS, has tied in with the Balto Sun. It's a reciprocal deal, the newspaper buying itself and the station taking spreads in the sheet swaggers its fine points. As yet the hook-in has not advanced beyond that simple stage, and it is not expected to unless the Hearst alliance between its local rag, News-Post, and the publisher's newly acquired broadcaster, WBAL, should start peppering the transmitter with news flashes. But that doesn't seem imminent.

Sun has recently retreated a step from its former icily austere attitude toward radio. In addition to the listing of programs, the afternoon rag has taken to carrying a small cut of a prominent radiotee each day. Though there have been repeated rumors to the effect, there has been installed no radio columnist, and it is deemed not likely that one will be set up. Policy of the paper, and one that is religiously adhered to, come what may, prohibits publicity to show business. Shows and pix get reviews and nothing more.

National Sugar Refining has switched to Young & Rubicam.

## Joe Hergesheimer Works As Radio Adaptations

NBC auditioned last week to agency men the initial installment of a musical-dramatic adaptation of Joseph Hergesheimer's "Quiet Cities." Ashmead E. Scott, Jr., authored the libretto and the lyrics, while the score, which with the exception of about 10 lines accompanied all the dialog, was written by Wells Hively.

Installment was tagged "Nachez" and ran 40 minutes.

## AIR COMPLETE OPERA FROM COL. AUDITORIUM

Columbus, Feb. 4. First complete opera broadcast in Ohio was made Tuesday night (3:30), when WBNS, Columbus, picked up presentation of "Il Trovatore," as given by Columbus Civic Opera company, for two hours and half. Arrangements between station and singers were made by A. H. Mallory, opera business manager, and Dick Borel, station executive. Les Nafziger, engineer, handled details on broadcast from local auditorium. Jim Blower announced and H. E. Cherrington, music authority, acted as commentator. Station reported more phone calls on feature than anything to date.

Plans now under way to broadcast all coming operas, which are produced at periods of one or two months.

## All 4 Cleve. Stations Act in Gen'l Accord

Cleveland, Feb. 4. Four Cleveland stations—WTAM, WGAR, WHK and WJAY—are acting in harmony on certain broad principles of operation. While no formal organization is contemplated, a luncheon of all station and commercial managers held a week ago is expected to be the forerunner of a trade-conscious policy among the local broadcasters.

One point of common agreement concerns civic events of an ostensibly charitable nature but actually commercial in character. It is the feeling of the stations that such promotions, when seeking the stimulant of radio, exploitation, should pay card rates, with the stations agreeing in reciprocity to broadcast on a sustaining basis only such parts of the civic events as in the station's own judgment possess intrinsic entertainment value.

## WMC's Celeb-Snaring

Memphis, Feb. 4. WMC list of celebrities interviewed during 1934 totaled more than 30. Most of the interviews were conducted by Harry Martin, theatrical columnist, and Early Maxwell, sports writer, both of The Commercial Appeal, WMC affiliate.

Martin's list include Grace Moore, Mary McCormack, Earl Carroll, Gene Austin, Regis Toomey, Maxwell questioned Jack Dempsey, Red Grange, Jim London, Strangler Lewis, Bronko Nagurski, five other one-time All-American football players, Louis Chiozza, Bill Tilden, Lott Wood, Cliff Sutter and Bryan Grant.

## Osborn Bond Joins Katz

Baltimore, Feb. 4. Osborn Bond has been made space-buyer for the Joseph Katz agency. Will hold down spot from a desk in the Balto branch of concern. He replaces Jules P. Daniel, who has left to become commercial manager of WBAL, having been appointed by Hearst when the publisher took over the station.

Bond was formerly with the Calkins & Holden agency of N. Y. He is a nationally known philatelist, penning a weekly article on stamp-collecting that is syndicated in 13 Sunday sheets through the country. Recently Bond held down a weekly sustaining spot over the American Broadcasting chain, during which he discussed stamps. Prior to that he ran a 13-week gamut on WFFR here, touching up same subject during his periods.

P. G. Robbins' New Job  
Fort Wayne, Feb. 4.  
P. G. Robbins, manager of WOWO Artist Bureau, has been appointed program manager of the station. He succeeds Medford Maxwell, who has taken up new duties with WWAE, Hammond, Indiana.

## NBC Farm and Home Hour on WCFL As WLS Asks 50% Payment for Time

## Mosby Back in Patent Medicines; Air Bally

Cincinnati, Feb. 4. G. M. Mosby is back in the patent medicine competition with a new product called Indo-Vim which is sponsoring programs in Cincinnati, Columbus and Cleveland.

Mosby, when known as the "Konjola King," was the angel for a couple of Broadway musicals and widely acquainted in show biz.

## Moving the Furniture At CBS's New York Office

General moving around is scheduled for the various departments of the CBS home office. For the first time since it has been in the Madison avenue building the web has mapped out a definite space plan for each division, with the department shifts slated to be made during the current month.

Under the new layout the 20th floor will be occupied exclusively by the top executives, the 19th floor will be devoted entirely to sales and sales promotion, the 18th to the program department, while the press department will take over the major part of the 17th floor. Web has office space also on the 3rd and 12th floors.

Chicago, Feb. 4. NBC here and WLS, the indie Prairie Farmer station, have a pretty mad-on against each other over the National Farm and Home Hour program, the longest sustaining farm show on the ether. Show had always had KYW as its local outlet, and when KYW moved to Philadelphia NBC submitted the agricultural hour to WLS, but that station turned it down cold, stating it preferred to build its own programs.

Not only did NBC then ask WLS to take the program, but also the United States Department of Agriculture which hot-footed down here to request WLS to transmit the Farm and Home show for this territory. WLS replied that the only conditions on which it would take the show would be if the station were given an hour of WENR time in return or were paid for 30 minutes of the program. NBC refused both of these propositions.

Result is that NBC has placed the National Farm and Home Hour on WCFL, the Chicago Federation of Labor station.

Consolidated Cigar Co. has bought three 15-minute evening periods a week on the Mutual network, starting March 4, to plug its Harvester brand. Stations in the hookup will be WORX, Newark; WLW, Cincinnati; and WGN, Chicago. Entertainment for the series has not been set.

## NEW YORK WORLD-TELEGRAM

Feb. 2, 1935  
By ALTON COOK  
World-Telegram Radio Editor.

JACK BENNY stands out as the dominant figure of radio in the eyes of the radio editors of United States and Canada. Voting in the fourth annual World-Telegram Radio Poll, 260 radio editors cast ballots that leave no doubt about the standing of this comedian.

By a large margin, he was named radio's most popular comedian. In addition, his Sunday evening program is overwhelmingly voted the most popular on the air. His only rival for these honors was radio's other suave comedian, Fred Allen.

Radio editors participating in the poll were asked to name their favorite programs as well as their preferences in the various classes of radio entertainment. When the votes were tabulated, three were awarded for each first choice, two for second and one for third.

How the Programs Rated  
The radio editors' vote for favorite programs follows:—

1. Jack Benny .....	248
2. Fred Allen .....	112
3. Vallee Hour .....	107
4. March of Time .....	81
And 15 Others	

SOLE AUTHOR FOR JACK BENNY

## HARRY W. CONN

WRITER OF FIRST RUN MATERIAL

169 Consecutive Radio Scripts for That Great Artist

JACK BENNY

COMPRISING

78 PROGRAMS—CANADA DRY

44 WEEKS—CHEVROLET

26 WEEKS—GENERAL TIRE CO

And Now Preparing the 21st Program for Jello

THE FIRST 150 PROGRAMS  
WERE THE HARDEST  
HARRY W. CONN

## General Foods

Announces

# FRANK PARKER

HAS BEEN RE-SIGNED

FOR

## ANOTHER SERIES

ON THE

# JACK BENNY JELLO PROGRAM

February 2, 1935

WORLD-TELEGRAM

RADIO POLL

As Voted by the Radio Editors of U. S. and Canada

Male Singers Ranked

The Vote for Male Singers of Popular Songs Follows:

1. Bing Crosby .....	351
2. Frank Parker .....	255
3. Lanny Ross .....	159
4. James Melton .....	130
5. Donald Novis .....	84
6. Morton Downey .....	60
AND OTHERS	

New Business

**NEW YORK CITY**  
Reiman & Bresse, Inc., additional time on Tuesdays and Wednesdays and Sundays, presenting musical programs, to run for a period of 52 weeks. WENX.  
Radio Shop of Newark, Inc., renewal of Sunday program, presenting music, for a period of 52 weeks. WENX.  
Sachs Furniture Co., renewal of contract, four half-hours weekly, for 13 weeks. WENX.  
Select Advertising Co., Sunday musical program, to run for 52 weeks. WENX.  
Fritz Hafer, German musical program for Saturday airmen, to run 26 weeks. WENX.  
Ramos and Telhado, spot announcements daily on Tordador rum, to run for 13 weeks. WENX.  
Crazy Water Crystals, thrice daily including morning, afternoon, and evening, presenting hillbilly music, for period of 52 weeks. WNEW.  
Strand Theatre, three 100-word announcements daily for period of 26 weeks. WENX.

Placed through Blaine-Thompson, Inc. New York. WNEW.  
William P. Schmeck, Jr., spot announcements for an indefinite period. WNEW.  
Pure Milk Dairy Products Co. (Canaan, Ct.), Chicago, starting Feb. 4, participant three matinee a week in 'Martha Deane' program. Through Carroll Davis, Inc. WOR.  
John Morrell & Co. (Red Heart Dog Food), starting Feb. 1, 15 minutes. Through 'The Town Boys', Through Henri, Hurst & McDonald. WOR.  
E. J. Foz, six times weekly for a period of 26 weeks, presenting Roger and Rudd, singers. Placed through Friend Advertising Agency. WMCA.  
I. J. Foz, renewal on time announcements, nine times daily, for a period of 52 weeks. WMCA.

**BALTIMORE**  
Piso Company (Piso Cough Relief), one minute electrical transcription announcements, daily save Sundays. Placed by the Watson Adv. Co. WBAL.  
Dreima, Inc. (face cream), four weekly five minute electrical transcription programs, Nell Vink. Placed by World Broadcasting, N. Y. WBAL.  
American Oil Co., spot announcements. Placed by Joseph Katz. WBAL.  
K. H. Company (Cystex), once weekly, quarter-hour electrical transcription programs. Placed by Allen Smith Adv. Co. of Kansas City, Mo. WBAL.  
Conti Products Corp. (cosmetics), twice weekly electrical transcription announcements. Placed by World Broadcasting, N. Y. WBAL.  
Crazy Crystals, Inc. (mineral water), quarter hour live program. Through 'The Town Boys', starting Feb. 4. Placed by Abernathy Adv. Co. of Washington. WBAL.  
Sherwood Brothers (beholing mor oil), twice weekly, one minute announcements. Placed by Vansant, Dugdale. WBAL.  
K. H. Company (Cystex), once weekly, half-hour programs. Placed by Joseph Katz. WBAL.  
J. R. Hunt Co. (Spartan Radios), three announcements, Sundays only. WBAL.  
Mangels-Herold Co., Inc. (King Syrup), once weekly, live program, 'The Dinkeldorffers'. Placed by Emery Adv. Co. WBAL.  
S. & N. Katz (jewelry), once weekly, quarter-hour electrical transcription programs, 'Diamond Dramas'. Placed by Joseph Katz. WBAL.

COLUMBIA BROADCASTING SYSTEM PRESENTS  
**LITTLE JACK LITTLE**  
AND HIS ORCHESTRA  
APPEARING IN THE SILENT FILM  
HOTEL LEXINGTON, NEW YORK CITY  
And on Columbia Records  
C.B.S. Coast-to-Coast Network  
Thurs. 11 P.M. Sat. 11 P.M.  
**PINEX PROGRAM**  
C. B. S. Network  
Wed., Fri., Sun.  
At 1:30 P. M.

**LEON DELASCO**  
ARMOUR HOUR  
FRIDAY—7:45-9:45 P.M.  
NIGHTLY, CASINO DE PARIS  
Broadcasting—Coast-to-Coast—CBS  
Direction, HERMAN BERNHEIM  
1619 Broadway, New York

**fred allen's**  
"TOWN HALL, TONIGHT!"  
an HOUR OF SMILES  
PORTLAND HOFFA  
KING LIONEL STANLEY  
JOHN BROWN  
MURRAY KINGS  
EILEEN DOUGLAS  
Material by Fred Allen and  
HARRY TUGED  
Management, Walter Batchelor  
Wed. 9:10 P.M., B.S.T.—WBAP

**KINGSLEY and CHASE**  
WABC  
Saturday Nites at Eight  
**ROXY REVUE**  
Special Arrangements and Material  
Exclusively by  
JEAN PAUREL  
Direction, WM. MORRIS

**JOHNNY GREEN**  
AND HIS ORCHESTRA  
WITH MARJORIE LOGAN  
AND JIMMY FARRELL  
★ WABC—Coast-to-Coast ★  
Tues. and Sat., 11:30 P.M. E.S.T.  
Columbia Broadcasting System  
COLUMBIA RECORDS

**MAINE**  
Placed through Blaine-Thompson, Inc. New York. WNEW.  
William P. Schmeck, Jr., spot announcements for an indefinite period. WNEW.  
Pure Milk Dairy Products Co. (Canaan, Ct.), Chicago, starting Feb. 4, participant three matinee a week in 'Martha Deane' program. Through Carroll Davis, Inc. WOR.  
John Morrell & Co. (Red Heart Dog Food), starting Feb. 1, 15 minutes. Through 'The Town Boys', Through Henri, Hurst & McDonald. WOR.  
E. J. Foz, six times weekly for a period of 26 weeks, presenting Roger and Rudd, singers. Placed through Friend Advertising Agency. WMCA.  
I. J. Foz, renewal on time announcements, nine times daily, for a period of 52 weeks. WMCA.

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**WINSTON-SALEM, N. C.**  
Red Top Beer, spot announcement except Sunday for one month. Placed locally. WWSJ.  
Bell Bread, renewal 15-minute program three days each week and daily announcement on five days each month for three month period. Placed locally. WWSJ.  
Louis Sandwich Shop, daily announcement for one month renewed. Placed locally. WWSJ.  
Capidine, daily announcement for one month. Placed locally. WWSJ.  
Stackley Piano Company, daily announcement for one month. Placed locally. WWSJ.  
Motor Sales Company, announcement twice daily for one month on Plymouth Automobiles. Placed locally. WWSJ.  
Davis, Inc., daily announcement for one month. Placed locally. WWSJ.  
Stanback Melody Man, renewed five minute daily program except Sunday for one month. Placed locally. WWSJ.  
Carlson Brantley Advertising Agency, Salisbury, N. C. WWSJ.  
Shirley P. Flowers, spot announcements, three times daily. Placed locally. WWSJ.

**FORT WORTH**  
Universal Mills, 52 weekly programs lasting for 30 minutes each, presenting Alice Joy, over station WBSJ. Placed through Tracy-Locke-Dawson, Inc., Dallas and New York City.  
S. H. Brewing Company, investing \$13,500 in spot announcements from Jan. 6 to Oct. 4. Placed through Pitkin Advertising Agency, San Antonio. Over entire SBS network.  
Curtis Candy Company, investing \$13,500 in spot announcements, giving five daily for an indefinite period, over entire SBS network. Placed through Pitkin Advertising Agency, Chicago.  
**LINCOLN**  
Nacor, daily announcements for three months. KFAB.  
Scndol, daily announcements for three months. KFAB.  
Buck & Co., three months of daily announcements. KFAB.  
Schmoeller & Mueller Piano Co., one 15-minute program per week for seven weeks. KFAB.  
Bee-News, daily announcements for two weeks. KFAB.  
Carter Medicine, 15 daily announcements. KFAB.  
Christians-Pag, 26 daily announcements. KFAB.  
Spoken Words, 13 daily announcements. KFAB.  
Kester Solder, 26 daily announcements. KFAB.  
Golden Dawn, daily announcements for one year. KFOR.  
Gook Food, KFOR.  
Lincoln Theatres Corp., daily announcements, indefinite. KFOR.  
Carter Medicine, 26 daily announcements. KFOR.  
Pawley Lumber Co., 26 daily announcements. KFOR.  
Ver's Hat Shops, daily announcements for 26 days. KFOR.  
City Water & Light, 17 daily announcements. KFOR.

**PHILADELPHIA**  
Torgin's Food, spot announcements weekly, expires March 1. Placed through Feigenbaum Agency. WIP.  
Mrs. Smith's Pies, daily participation in Breakfast at Eight program. Contract placed by A. H. Dorsey Agency and expires March 21. WIP.  
Elwood Farms Co., participation in Homemakers club. Contract ends April 2. WIP.  
Jacob Singer, 15-minute talks once weekly. Placed by Seligson Agency. WIP.  
Maurice Sklar, three spot announcements on Town Tattler. Indefinite contract, placed direct. WIP.  
Dulmer Shoe, spot announcements weekly on Town Tattler and Magie of the Air programs. Indefinite contract, placed direct. WIP.  
Apeo Coal Co., spot announcements five times weekly, contract expires Feb. 25. Placed direct. WIP.  
Joint Taxation Committee, one ten-minute talk weekly, contract to end Feb. 25. Placed through Adrin Bauer Agency. WIP.

**ROCHESTER**  
All-Pen, gas and oil, amateurs, half hour Mondays, 9:30 p.m., for 13 weeks. Placed locally. WHEC.  
Scott Food Co., pumpkins, studio music, 15 minutes, Tuesday noon for 13 weeks. Placed by Hart & Conway. WHEC.  
Sears-Roebuck & Co., department store, studio music and shopper talk, 15 minutes, Tuesday, 4:45 a.m., for 26 weeks. Placed locally. WHEC.  
Planters Co., edible oils, studio music, half hour, Sundays at 7 p.m., for 26 weeks. Placed locally. WHEC.  
Chrysler Corp., automobiles, announcements, transcription, daily for

**PORTLAND, ORE.**  
Bernard Perfumery, 21 two-minute announcements, placed by H. Y. Swenson Agency. KGW.  
Montag Store & Furnace Co., 15-minute program, placed by Macdonald & Cole, Glasgow. WJLB.  
Stone and Margulies, jewelers, 52 weekly Sunday announcements, one year. KEX.  
Blue Danube Gardens, 13 remote broadcasts, one month. KEX.  
Ezelsco Cosmetic Shoppe, announcement service, one month. KEX.  
Carter Medicine Co., 24 five minute electric transcriptions. Placed by 'Sniffles' Finney Agency. KEX.  
Kendall Community Church, 13 one-half hour programs. Placed by Frederick Schmalz Advertising Agency. KEX.  
Meier and Frank Company, dept. store, 15 1/2 hour announcements, one month service and three and one quarter hour program per week, one year. KGW.  
Best Foods, Inc., Nucoa, 39 15-minute electric transcriptions, three per week. Placed by Benton & Bowles Advertising Agency. KGW.  
Bernard Perfumery, electric transcriptions. Placed by Swenson Advertising Agency. KGW.  
Tommy Luke, host 13 broadcast programs. KGW.  
Dodge Brothers, five minute electric transcriptions. Placed by Ruthrauff and Ryan Advertising Agency. KGW.  
Gawrutz Furniture Company, 26 spot announcements. KGW.  
Clerk Cadillac Company, spot announcements. KGW.  
DuBois Motor Company, spot announcements. KGW.  
Logan Automobile Company, 13 spot announcements. KGW.  
Chrysler Corporation, 20 one-minute transcriptions. Placed by Ruthrauff and Ryan Advertising Agency. KGW.  
Photo Art Studios, announcement service. KGW.  
Brown's Jewelry Store, spot announcement service. KGW.  
Gadaby Furniture Company, 52 15-minute programs. KGW.  
Procter & Gamble, 16 15-minute programs, three per week. KEX.  
E. G. Hill, book store, 10 15-minute programs. KEX.  
Dr. J. J. Cotton, dentist, three 13-minute programs weekly, one year. KEX.  
Sheridan Fruit Company, spot announcement service. KEX.  
Rogers Shoe Store, spot announcement service. KEX.  
Acme Shoe Repair Shop 13 15-minute programs. KEX.

**DeWOLF HOPPER**  
With RHYTHM SYMPHONY  
SPONSORED BY  
**UNITED DRUG CO.**  
Sunday, 3 P.M., CST  
COAST-TO-COAST  
Personal Management  
**H. C. HOWARD**  
Fine Arts Building  
Phone Main 1-100  
CHICAGO

**UNCLE EZRA**  
(Pat Barrett)  
Featuring Condon  
Sponsored by  
A. K. A. SELLER  
Blanketing the Key Cities of U.S.A.  
Now Dubbing on 2 Networks!  
Both NBC and Mutual Broadcasting  
System  
WGN, Chicago; WXYZ, Detroit  
WLW, Cincinnati; WOR, Newark  
On 3105, 1615 p.m.  
Mon.-Wed.-Fri.—5:37

**CHARLES PREVIN**  
CONDUCTOR  
**REALSILK'S SILKEN STRING CONCERT**  
N.B.C.—SUNDAYS  
8-9:30 P.M., CST  
9-9:30 P.M., PCT  
10-10:30 P.M., MT  
Personal Representative  
W. BIGGIE LEVIN  
612 N. Michigan Ave.  
CHICAGO

**ROY FOX**  
AND HIS  
**BAND**  
ON TOUR  
B.B.C. NETWORK

**LEITH STEVENS**  
CONDUCTOR  
**PINAUD PROGRAM**  
Every Saturday Evening at 6—WABC  
Exclusive Management Columbia Broadcasting System.





## All Talent Paid at WFIL

### Strong Local Flavor to Programs Part of New Station's Policy

Philadelphia, Feb. 4. Official budget and program policy of the newly organized WFIL will go into effect this week. It was learned from authentic sources that announcements will be made which will confirm reports in *Variety* of two weeks ago, and expected to break every precedent of current radio station operation in Philly.

Most unusual is the attitude toward talent salaries. Manager Don Whithycomb, former NBC exec, will establish the policy that all WFIL artists, either commercial or sustaining, be compensated for all casting chores. This is a complete upheaval of the entire local setup, since talent has formerly been considered in the labor of love classification.

Although no studio artist bureau is contemplated for the near future, it is believed that Keith McLeod, new program chief, will commence a series of build-ups for studio talent in an effort to make them commercial possibilities. All commercial auditions in the future are to be based upon program researches that clients may be afforded these types of broadcasts which scientifically meet their needs rather than continue the local policy of selling radio by time and allowing talent and program quality to take the hindmost.

Whithycomb is now arranging program schedule for local consumption which will include an 18-piece studio orchestra, largest of any studio here. Station will also be only one using staff band for night sessions.

WFIL, now listed on the NBC basic web, is finding itself in the position of having more local time to fill than any other Philly network outlet. Situation is owing to the fact that the studio switched from the red network in favor of KYW's more here recently, and NBC commercials with the WFIL addition are just starting to come through.

### Loberfeld Gets Right

#### To Quiz Geo. B. Storer

Order granting Sidney Loberfeld, baseball announcer, the right to examine George B. Storer before trial was signed by Justice Heller in the Manhattan City Court last week. Loberfeld is suing the American Broadcasting System and the Federal Broadcasting Corp. for \$3,000, which he alleges is due him for services. Next Monday (11) was the date set for Storer's interrogation.

Loberfeld, who for several seasons has aired baseball scores of WMCA, New York, claims that the ABS and the FBC had failed to take care of him on two different propositions. One had to do with the job of inducing the New York and Brooklyn big league teams to permit the ABS and WMCA to broadcast from the diamond's sidelines, while the other involves what he alleges to have been a promise to get him a commercial.

Deal with the baseball teams fell through when the Yanks asked \$35,000 for the season's broadcast rights and the Dodgers, \$50,000, but Loberfeld contends that he is still entitled to the \$500 which he says he had been assured for his go-between services. Balance of the \$3,000, Loberfeld claims, is the accumulated salary that he would have collected had he been given the promised commercial. For the latter he was to get \$150 a week.

Loberfeld states that he took a score reading assignment for a nominal sum with the understanding that if a sports commercial developed it would be his. When the commercial, Kentucky Winner cigs, did materialize, Clem McCarthy, says Loberfeld, was brought in to do the announcing of baseball results.

### 'Old Timers' Club Formed

San Francisco, Feb. 4. At a banquet held for Bernard F. Linden, who has been moved to the Southern California Division of the FCC, a group of old-timers in radio organized a permanent group to be called "The Radio Old Timers."

Ralph Brunton, owner of the Northern California Broadcasting System, was named president, Ralph Haines, H. W. Dickon, Linden, and Harrison Hollway, manager of KFRC, San Francisco, were appointed a permanent committee.

New organization will meet yearly on Jan. 25.

### Greyhound Bus Uses Air

San Antonio, Feb. 4. Greyhound bus lines has turned to radio advertising in the southwest with a 15-week contract with Texas Quality Group. Initiated Jan. 28. It's a half-hour weekly stint originating from WFAA, Dallas.

Program consists of music and historical drama, the drama locale confined to spots serviced by the bus line. A short break after the first contract will be followed by a second 16-week time purchase, according to present set-up.

### WKBB's Lil' Theatre

Dubuque, Ia., Feb. 4. A radio community theatre has been formed here, with facilities of WKBB open to the Little Brown Barn players for the production of original one-act plays. Edward Palen, announcer and dramatist, is handling the production and acting.

Local writers are being given an opportunity to show their stuff.

### James, My Peruke!

WMCA's staff handling the Beaux Arts ball broadcast on Friday night (1) attended the festivities in correct costume. John Fraser, chief announcer; Frank Marks, engineer and James McCafferty, assistant performed their duties all decked out in 18th century knee-breeches and powdered wigs.

Waldorf-Astoria management requested this, so that the entire assembly would be keeping-with-the-historical pageant.

## Radio Chatter

(Continued from page 45)

of NBC, New York; in Hub on visit to WEEL, Boston.

Frank Jenkins, Herald-Traveler radio editor, filled in for Marjorie Mills on her 'New England Kitchen' over WEEL, Boston. Other members of the paper staff will pinch hit while Miss Mills is basking under the Southern sun.

Vic Whitman of WEEL, Boston, back on the job after grappling with grippe.

When Dorothy Drake became snowbound in the recent storm, Frances McLaughlin of the program department of WEEL, Boston, stepped into the breach to do the C. Crawford Hollidge 'Parade of Fashion'. Miss Drake, slightly injured in a taxi jam during the blizzard, stood by the ship and finally made the trip to Boston from a suburb.

Ray Girardin's first blessed event has been tagged Jr.

George MacKinnon, Boston Record gossip, mastering ceremonies for radio auditions in Greater Boston theatre. This extra curriculum activity compares sharply with his recent experience as 'guest' referee for Hub wrestling bouts.

Don Humbert jazz string group, now airing daily over WHDH, Boston at 2:15. After dark same quartet holds forth at the Club Mayfair.

Dr. Joseph E. Goodbar's interviews over WHDH, Boston, include such luminaries as Dr. A. Lawrence Lowell, dean emeritus of Harvard; Dr. Oliver M. W. Sprague, former economic advisor to the Bank of England; and Dr. Tehyi Hsieh, Boston ambassador of good will from China.

Harry Einstein resigns his sales position at Kane Furniture, Boston, to sign with Eddie Cantor for

### WOR's Maritime Bookings

First crop of entertainers sent out by WOR artists' bureau for the West Indies cruises includes, Charlotte and Mirex; Carol-Gale, Charlolette and Paul Cadieux. This group left last week and following the trip will appear for a week at the Fort Montague hotel in Nassau.

Next in line are: Rita Bell and Borne and Hamilton. They will follow in at the hotel also, with the initial company embarking for the north. Nat Abramson negotiated the bookings.

52 weeks. Einstein, better known as Nick Parkyakakis, broke into the ether big at WMAC, Boston, nearly four years ago. Opens with Cantor for Pebeo toothpaste Feb. 3.

'Meadows Beauty Forum', sustainer from WNEW, New York, began to clear through WHDH, Boston, Jan. 28.

Lillian Beverly, vocalist with Joe Rines' band, over WBZ, Boston, getting acquainted with the suburbs through personal appearances at various and sundry Greater Boston theatres.

Yankee network's new suite of offices at the Hotel Buckminster, Boston, are eyeopeners.

Janice Travers, director of commercial programs for Yankee network, handled the Scott Fur Amateur Night program Sunday, Feb. 3, at Providence, his home town.

WIXBS, now picking up from 10 contacts in Waterbury, has had to buy some new remote equipment.

Little Theatre of Air, with Alan Wallace, announcer, in charge, formalizes WIXBS, Waterbury.

Letter responses to WIXBS, 1,500-kc. high fidelity emanator at Waterbury, Conn., now Coast-to-Coast.

## Texas

Three afternoon quarter-hour programs over WFAA last week brought in over 2,000 letters in a prize contest to name a new tooth paste. Jay Burnett, the Songfellow, led the program.

Texas Quality Group, WFAA (Dallas), WOAI (San Antonio) and KFRC (Houston) broadcast full gubernatorial ceremonies at Austin Jan. 15. Harry Henge Crozier of Dallas News and Peter Molyneux of Texas Weekly handled affair.

Tennessee Hillbillys, winners 1934 Kentucky State Hillbilly contest, now broadcast over WFAA daily except Sunday. They come to Dallas from WTK.

Martin E. Campbell, general manager WFAC, elected to NAB commercial committee sixth consecutive year.

WRR, Dallas municipal station, secured Hyman Charnikinsky's Dallas Athletic Club and Cally Holden's Samovar Club orchestras for at least two programs weekly.

Charlie Jordan, WRR announcer, father of daughter

Charlie Flagler, vocalist from WOWO, WFLW and KSO, joins staff of WFAC, Dallas, Feb. 5.

# 4 STAR MUSIC!



## ACCOMPLISHMENTS OF 1934

### ★ "45 MINUTES IN HOLLYWOOD"

SPONSORED BY BORDENS

### ★ "PRESENTING MARK WARNOW"

A COLUMBIA FEATURE, PRESENTED BY C.B.S.

### ★ "ADMIRAL BYRD'S" Broadcast

SPONSORED BY GENERAL FOODS

### ★ "YOUR HOSTESS" COBINA WRIGHT

FEATURING

*Distinctive Music for Distinguished Programs - The 4 Star Music of*

# MARK WARNOW

MANAGED EXCLUSIVELY by *columbia Artist Bureau*

# Calif. Courts Uphold Vogel Verdict On His 'Marcheta' Song Suit

John Franklin Sheridan, erst-while head of the John Franklin Music Co., and now a Hollywood bit actor under the name of Frank Sheridan, last week was ordered to pay \$25,000 to Jerry Vogel, New York music man, by the state appeals court in California. Sheridan and his wife, the former Edna Carroll, long with Lyon & Healy, music jobbers, as well as the Franklin Music Co., has appealed in the San Francisco appeals division, which ruled for Vogel.

The suit, involving "Marcheta," was an important Tin Pan Alley litigation. Dating back a number of years, it had been fought bitterly by O'Brien, Melevinsky & Driscoll, attorney for Vogel, who took the case and advanced funds because they felt Vogel was justified.

It upheld Vogel's 25% interest in the song, "Marcheta," now a standard number, which the composer, Victor Schertzinger, now a Hollywood film director, originally sold to Sheridan (John Franklin Music Co.) for \$50. Sheridan at the "sundry trials" averred that he took care of Schertzinger subsequently, but it was Vogel's contention that so far as he knows the only compensation the film director-singer-writer got was the attendant prestige.

## Unique Claim

The courts upheld the unique claim that Vogel's share in the song had no influence in the music trade made "Marcheta" the hit that it was. Vogel placed a valuation of \$300,000 on the song from all rights and claimed that some \$70,000 was actually due him. When appeals were reached, only about \$25,000 was agreed upon because of the lack of records to substantiate Vogel's claims.

Schertzinger first wrote the song in 1917 or 1918. Alfred de Manby, S. L. Rothafel's assistant at the Mark Strand theatre on Broadway when RKO was managing director of that house, who was a singer at the theatre, also on occasion used to hum the number to Vogel. Vogel became enthused about it and while working for the John Franklin Music Co. decided he could exploit it. Sheridan agreed and ceded 25% to Vogel for his song-plugging efforts. Vogel is not the conventional song plugger of that period nor is he today (now heading his own music p.b.f. firm), but his connections with the prominent acts, bands and shows succeeded in making "Marcheta" a big song seller.

Because it was established that Vogel had rendered definite service in exploiting the song, the courts sustained his cause. Kay & Kay Co. is the present copyright owner on assignment from Sheridan, who bowed out of the music biz. It is likely that the original 28 years copyright expires that Schertzinger will cede the song to Vogel for his catalog, just as George M. Cohan recently assigned the rights to many of his songs to Vogel.

## Nixing Day Off Rule Up To L. A. Musicians Board

Los Angeles, Feb. 4.

Membership of Musicians local, 4-A American Federation of Musicians, voted at its annual meeting to refer back to the board of directors, with full power, the matter of continuing suspension of the compulsory one day off in seven (or one week in seven, as an alternative) where individually applied.

Vote was an expression of confidence in the way the directors have handled the matter since promulgating the suspension some weeks ago.

## BURKE SETTLES

Marty Forkins suit against Johnny Burke, songwriter, for \$625 was dismissed last week. A deal Forkins set with Fox Films in 1931, was settled last week. Matter had already come up in court, but Burke settled before the trial actually began. T. C. Robert Broder was counsel for Forkins.

## Most Played on Air

To familiarize the trade with the tunes most on the air around New York, the following is the listing of the songs most played on the cross-country networks last week, in relative standing, according to the number of combined plays on W.E.A.F., W.J.Z. and W.A.B.C.

- Blue Moon.
- I Believe in Miracles.
- June in January.
- Dancing With My Shadow.
- Believe It, Beloved.
- Good Ship Lollipop.
- Because of Once Upon Time.
- You and Night and Music.
- You're the Top.
- Love Is Around Corner.
- Continental.
- Earful of Music.
- If It's Love.
- Isle of Capri.
- Object of My Affection.
- Throwing Stones at Sun.
- Hands.
- With Every Breath I Take.
- Where's Smoke, There's Fire.

## Balto Musicians Demand Pay for Birthday Ball

Baltimore, Feb. 4.

Local showmen burned to a crisp last Wednesday when they held a benefit at the Century for crippled children charities in honor of the President's birthday and the musicians' union, Local No. 49, demanded pay for the pit orchestra.

Performers, totalling 22 acts, were drafted from all phases of local show biz for the benefit, the theatre was donated, newspapers spread space and the billboards' printers gave copy and slapped it up on billboards. It was a benefit given by everyone but the musicians.

Orchestra was regular crew at the vaudeville Century and the band was willing to play, but the union demanded dough, advancing the angle that its members were being paid for playing at all the President's birthday affairs round town, and that it must be consistent in its policy covering the matter.

## Mrs. Stasny's Comeback

Mrs. A. J. Stasny and Charlie Lang of the Langs are negotiating a partnership arrangement, which will bring the Stasny concern back to active participation in the popular field. Meanwhile Mrs. Stasny is planning to end quarters in a Broadway building.

Within the past year two different publishing firms have sought to buy the Stasny catalog. They were Mills Music, Inc., and Shapiro, Bernstein & Co. Neither proposition got beyond the discussion stage because Mrs. Stasny didn't think that the price offered her made it worthwhile for her to withdraw from the publishing business.

## Max Dreyfus Feels Okay To Coast for Vacation

Max Dreyfus, head of Harms, feeling much better than he has been for months, left for the Coast over the weekend for a vacation. His brother, Louis Dreyfus, now a permanent resident of London, returned to England last week after visiting in New York for a fortnight. During Max Dreyfus' illness Louis had scheduled himself to come over about four times a year.

Larry Spier, general manager of T. B. Harms Co., a subuid of Harms, Inc., pulls out today (Tuesday), for a Miami Beach vacation.

## BUSSE TO GROVE

Chicago, Feb. 4.

Henry Busse band, which has just finished a season at the Chez Paree, goes into the Coconut Grove, Los Angeles, May 1 for four months.

## Murkland on Code

P. A. Murkland, deputy NRA administrator in charge of the publishing industries, was engaged last week in preparing his letter of transmittal, which will accompany the music code when the latter is submitted next week for approval to President Roosevelt.

Code has been okayed by all the Washington boards concerned.

## SYNDICATES SET FEB. 15 LIMIT

Syndicate stores have notified John G. Paine, chairman of the Music Publishers' Protective Association, that they will not extend beyond Feb. 15 their offer to cooperate with the publishing industry in devising means of catering to the chains on a centralized basis.

Representatives of leading publishing firms are expected to meet in New York tomorrow (Wednesday) to discuss several plans that have been proposed in that direction. Implied in the notice given Paine by the syndicates was the threat that if the publishers couldn't get together on a central shipping and merchandising bureau the chains would proceed to close down more music stores.

Tomorrow's gathering will receive from Edwin H. Morris the reaction of his publishing duo, Remick and Witmark, to the chains' demand for a central shipping channel. Even if the Remick and Witmark firms consent to the syndicates' proposal, the advocates of the chain warehousing idea will be faced with the problem of a way to bring in the remaining seven publishing houses that are bound by the settlement agreements Max Mayer obtained during the trial of his anti-trust action last spring. These agreements, made for a term of five years, restrain the publishers from selling to any retailer at prices below those accorded Mayer.

## Gross, Lamont Repping Publishers on Coast

Los Angeles, Feb. 4.

Bobby Gross is back as Coast rep for Santley Bros., Inc., and will headquarter here. Carl Lamont, another vet with song publishers on the Coast, has been appointed to represent the Jenkins Co. of Kansas City here.

## Inside Stuff—Music

"Ole Faithful" had on Jan. 21 already received in England a turnover of 214,000 copies, with the tune at the time selling at the rate of \$,000 a week. Irwin Dash, its English publisher, figures that the song will reach the 275,000 mark. It's the third 6-pence (12c.) sheet that has done over 200,000 copies in the country the past two years. Other two were "Play to Me Gypsy" and "Isle of Capri". On this side of the tune, after a couple of months' plugging, has just started to pick up.

Top seller on the Decca catalog so far that the company has been in business is Bing Crosby, rating 1-2. Lombardo, Casa Loma and Dorsey Bros. are runners-up. Crosby's "June in January" and "Love Is Just Around the Corner" is "around the corner" hoped-to-equal-Crosby's "Please," his top seller for Brunswick three years ago.

Boston Traveler in a regulation editorial put in a plug for "Tiny Little Fingerprint," Crawford-Vocco's current pop plug. Editorial comment on plays and films and rarely on established hit songs (usually because of their patriotic or propaganda purpose) has been made before, but a plug for a song that's still in the throes of achieving popularity is unusual.

Manner in which "Isle of Capri" has come up as a hit, rating now as the No. 2 song of the country, is further distinguished by the fact that none of the recognized radio "hit makers" plugged the song. None of the big air commercials gave it a ride, as with other hits, the imported tango foxtrots developing its own momentum in more or less haphazard manner.

Warner Bros., which bowed out of the recording business by selling Brunswick to Consolidated Film Labs, is back in it as owner of Decca Records, Inc. Latter outfit has taken over much of the W.B. equipment, factory, etc., with Herman Starr of W.B. representing the film producer on the Decca directorate.

Bennie Russell's five-year contract with Harms is launched with the unusual instance of one music publisher issuing seven songs by the same writer, for simultaneous exploitation.

Russell wrote 'em all alone with the exception of one in which Ned Washington collaborated.

Dick Himber, maestro of the Hotel Ritz-Carlton, N. Y., who wrote "Tea at the Ritz" with J. Russel Robinson, finds its plugging over the air limited, because the competitive hotels don't approve any plug for another hostelry, even if it's in song.

# Warner Bros. After Song Copyright Renewals on Wholesale Basis

## S. P. A. News

Having found the production cost of its quarterly publication too costly, Songwriters' Protective Association has abandoned its issuance.

The S.P.A.'s house organ messages, if news, have been promised circulation via VARIETY.

## Orch. Leader Charged With Stabbing Pair Of His Own Bandmen

LANCASTER, Wis., Feb. 4.

Virgil Cloyde, Baraboo, Wis. dance orchestra leader, is being held in the county jail here awaiting formal charges in Circuit Court, following a knifing which took place at a dance and in which two members of his band, C. B. Kardes and W. S. Briggs, were seriously wounded.

The jam occurred when the subject of program leadership came up. Cloyde is charged with having stabbed Kardes on the chest and arms and Briggs in the back and leg. Walter Zipka, dance hall inspector, was also out slightly as he fled from the hall.

The dance ended in a riot.

## Tuners Will Talk Tax Matters at Mills' Feed

Los Angeles, Feb. 4.

Welcome party will be tossed here tonight (Mon.) for E. C. Mills, gen. mgr. of the American Society of Composers, Authors and Publishers, who arrived here Sunday from the east.

L. Wolfe Gilbert got together local members of ASCAP and the Song Writers' Protective association, and will be toastmaster.

Music tax matters will be thoroughly gone into at the get-together.

## LEW CONRAD BROKE

Lew Conrad, musician and orchestra leader of 315 Riverside drive, New York, has filed a voluntary petition in bankruptcy.

Lists \$5,711 in debts; no assets.

Warner Bros. publishing group has gone into the business of acquiring copyright renewals on a wholesale scale. Using the letterheads of M. Witmark & Son, the W.B. copyright lawyers are addressing form communications to writers, or their heirs or assignees, advising them that the copyright on their songs is about to expire and offering to take care of the renewal propositions. Propositions are not restricted to those whose works are now being handled by members of the Warner Bros. publishing group. Carried on the W.B. payroll, it is to keep track of pop compositions on which copyrights are about to run out. Letter sent to copyright owners offer to shoulder the entire expense of copyright renewal. Enclosed with the letter is a contract.

Warner Bros.' drive on copyright renewals has two incentives. A large representation of old numbers in its catalogs will not only strengthen the publishing group's position when it comes to collecting for radio performances, the firm feels, but ease the financial burden for the picture end of the W.B. enterprise, when it comes to synchronization usages.

## Mills, on Coast, May Launch Drive Against Music Royalty Dodgers

Los Angeles, Feb. 4.

Drive on racketeers and others who have been failing to kick in for music royalties is expected to be launched immediately as a result of the arrival on the Coast of E. C. Mills, gen. mgr. of the American Society of Composers, Authors and Publishers.

Particularly singled out are several operators of Walkabouts in near-by towns, who are reported to have ignored the copyright regulations, and who face U. S. District court charges.

## SOC.'S NEW BOARDS SET AND OPEN FOR SQUAWKS

Both the publishers and appeals boards of the American Society of Composers, Authors & Publishers are now ready to function. New election held for the former setup has given the appellate assignments to E. B. Marks, Lou Diamond, Abe Olman, W. Deane Preston, Max Winkler and Dr. Renato Tasselli. Former three represent the pop publishing field and the others the standard faction.

Second balloting for members of the publishers' board of appeals was necessitated when three candidates received an equal number of votes.

Appellate groups will listen to protests made by ASCAP members against the ratings given them by the classification committee. If the appeals board issues a verdict that is contrary to that of the classification committee the case will then come up for its final adjudication before the combined membership of the classification committee and the appeals board.

## Lang Stocking Library With Disks for Indies

Hollywood, Feb. 4.

Freeman Lang is making 104 discs of Salvatore Santella's combination.

Platters will be used as a nucleus for a sound library to be used for dubbing onto future discs and for utilization by independent film producers not able to afford the tap for backgrounding.

## HUB'S BRUNSWICK FOLDS

Boston, N. Y.

The Brunswick hotel has closed its doors after 61 years. With the shutter goes the closing of the Brunswick Casino and Casino, former a pretentious supper room playing name bands.



## Disc Reviews

By Abel Green

**Al Bowlly**  
This is Ray Noble's imported tenor, now on this side while the British maestro-songwriter is trying to get himself set with the A.F.M. and a radio commercial. Noble's 100% new with both and so is Bowlly. Duetting with Noble's new Coty program later this month. His handling of "Blue Moon" and "In a Blue and Sensitive Mood" are enhanced by the fact that Noble arranged and directed the orchestra supporting Bowlly. As to Noble is restricted on making his own records on this side, as this is the best conceivable compromise.

Despite all American patriotism and restrictions, Tin Pan Alley, the music gods and allied professions and critics take the position that there should be no embargoes, barriers or pseudo-nationalistic restrictions on talent and Noble, rating as highly as he does with the songwriters, recorders, et al., has 'em all with him. Bowlly's "Send me a Love Par" is a crooner but he's not just a crooner but a finished tenor. Victor 24849.

**Paul Whiteman**  
The dean of jazz with his concert combo does orchestral wonders with "Rainbow Rhapsody," "Send me a Wealthy Widow" and "Deep Forest," a 1935 type of spirit—The Whiteman orchestra ad-opts will rave about this one. Victor 24852.

**The Ink Spots**  
Strictly for the jazzheads, the campus wisies and Lindy's herring-tars. This quartet (with a cymbal) gives out two Harlemian ditties by Jack Hancock, captioned "You're Too Big for This Side" and "The Strings" wherein the male quartet tells all about it to strict fox-trot tempo. They also simulate jazzlike. Jack Hyton imported them to England on a recent trip. The guitars are very hot. Victor 24851.

**Ray Noble-Joe Jackson**  
Noble's been on this side for about four months now, which gives an idea how many from manuscript writers he must have recorded. Noble's Master's Voice in London before sailing for these shores. Victor, of course, markets it in America. They are still percolating over, waiting their turn, apparently, until the publishers in England give the nod. Noble and the disks are to mean anything. "Dreaming a Dream" is one of those on Victor 24850. As to the same battery of songs as the Noble's number (Waller-turn-bright-Walter-Johnson), which Jackson and his combo from the Dorchester hotel, London, gives out in the same amount of time as the same at times sounds very Ray Noble. One organ effect is a pip. Both with vocals.

**Connie Boswell**  
The star of the Boswell Sisters (5 solo discs Brunswick 1336) with "Blue Moon" and "Clouds," interpreting both in her usually distinguished pop style with a vocal and a cackling orchestral background.

**Don Bestor**  
Two waltzes and two foxes by Bestor and his very good dance combo, in all of which the conductor, pianist and orchestra play a vibraph. This is the dulcet piano instrument which Bestor has popularized so well. He has placed him in good stead for novelty in orchestration.

**Brunswick 7385 couples**  
The Dubuats' Waltz "If You Love Me, Say So" and the fox-trot couple on 7386 pairs the currently in-vogue "The Little Finger" with "I Believe in Miracles." Neil Buckley in all also outside with his vocal delivery.

**Willie Bryant**  
Very hotcha is Mr. Willie Bryant who holds forth with his rhythm mayhemers at the Savoy ballroom in the heart of Harlem. Catering to mecoy Harlem with a house band, he makes that Mr. Willie Bryant had better be good, or else. His samples of sizzling jazz explain why "The Square" which he is playing Saturday midnight trips to Harlem for those breakfast dances—and to get a lot of the "Hot" crowd.

On Victor 24847 he gives out Tom Jones' "Chimes at the Meeting" with vocal and all kinds of "Hot" from "First in Knockout-drag-em-out" rhymanism.

**Jolly Coburn**  
The Rainbow Trio, couples "Love, Come Take Me" from "Fools Rush In" (reprise) and "I Was Lucky" from "Century's" forthcoming. Foles Bergere de Paris, wherein Roy Campbell Van Emburgh and Roy Campbell Swanne Swanne Swanne Swanne do the vocal chores. Conventionally orchestrated they're not particularly inspiring fox-trots. Sole distinction

is a hot harp. Disk gives the impression of either careless preparation or faulty recording technique.

**Eddy Duchin**  
From Warner Bros' forthcoming musical, the 1935 edition of "Gold Diggers" comes a two disc set, songs by Al Dubin and Harry Warren, a waltz, "The Words Are in My Heart," and a fox, "The Choppin' Wood." With the hotcha "Baby Brown" and the smoother "Because of Once Upon a Time."

**Fats Waller**  
Fats Waller and his Rhythm is one of the few new things on the disc in some time and that explains why Victor has such a good seller in this dusky demon of jazz. Can't merchandising usually couples heated ditty with a smoother number, which is a start for audience appeal and is a main complaint. No. 100 with the hotcha "Baby Brown" and the smoother "Because of Once Upon a Time."

Waller pianology-vocalizing, plus a mean but smooth trumpet, accounts for most of the rhythm, and it's all just too kid Jim.

**Ted Fio-Rito**  
Novelty fox-trots, more in the nature of dance music, are the Muzzy Macrellino and the Debuts vocalize throughout in strict fox-trotting. Both sets evidence the care in preparation, orchestration and recording, as novelty instrumentation, rumba, a rhythm section, vocal duets, and general light-hearted attack is manifested in the renditions. "Good Ship Lollipop" (Elyce and Elyce) and "A-Ling-A-Ling" from another Fox film, "Lottery Lover," are the selections. Brunswick 7384.

**Williams-Walsh**  
Lofner-Harris (Phil) was one hypnated dance combo that came into the attention at Hotel Mark Hopkins, San Francisco—although in refutation of this premise Anson Weeks signal click at the same spot is notable—and the Mark Hopkins has a dual dance combo, this time called Williams-Walsh. They play a fox-trot with their orchestra and dish up a hit potentially in "Let's Call It All a Week" (Powell-Pollack-Whelan) which is backed by "Because of Once Upon a Time"—Former is a waltz, the latter a fox-trot.

June MacCloy, of whom much was expected in musicals, is now a vocalist with a band and asserts herself with "Because."

## Night Club Reviews

### CASABLANCA

(MADRID)

Sanz-brothers, a tribe of jewelers who've got a yen for doing big things, got into the public eye when they snapped on the "Aquitain" block-long cafe with all the fancy trimmings commonly attributed to this Casablanca. Then they debuted with a decorative standpoint.

From a decorative standpoint, Casablanca doesn't come out back seat to any other niter in Europe. Tastefully done in soft desert colors, palms, glass floor in corners, comfortable chairs, fountains, yards of mirrors and a revolving, up-and-down stage for the two bands put it in the K.O. class. Pop-ork-is-led-by-Louis Caruso, a Belgian, and the tango combo by Ramon Canaro, an Argentine.

Sanz brothers—there are three—are going in for foreign talent nowadays. Agents who've got name stars to offer would contact them. They brought Monique Roland, French film actress, down from Paris to waltz and she did fair during her 2-300 stay. Anna May Wong was the latest, pulling them in at five performances in three days. Proved a powerful drawing card and the Spanish enthusiasm for film names didn't fail. She gave them plenty to see and hear and about two songs, a swell Chinese dance and excellent dramatic interpretations. Personal charm appealed for plenty of winning over the customers, most of whom didn't know a word of English. A tough spot for a non-Spanish-speaking set but Miss Wong—O Anita, as they called her—put it off.

Grog is reasonable. When no attractions are offered, the bar approximately one buck as combination covert and one drink. Second drink-cocktail or "wild" for 50c. House opened for plenty of dollars. House opens at 11:30 p.m. and keeps going until 4 a.m. There's a neat club set but Miss Wong—O Anita, as they called her—put it off. Sanz got so good about Miss Wong's pit that now they want to sign Macdonald, Dietrich, Newbury, etc.

## NO MORE 'PLAYBOYS'

Jack Mason's Femme Imps Cleared, But Bar's On in Troy

Albany, Feb. 4.  
Charges against Mason's Playboys—11 female impersonators—two months ago arrested in a raid on a tavern in Troy, were dismissed in police court. The District Attorney said it was agreeable to him to drop the charges inasmuch as the troupe had left town and probably would not return.

Prosecutor's office announced that if any more playboys pop up in Troy floor shows they'll be pinched if doing anything that the police consider is not on the up and up.

## ASK INVOLUNTARY BATH FOR CHEZ MARIANNE

Involutary proceedings against Chez Marianne, Inc., ultra-swank niter, New York, have been filed under Section 77b of the Bankruptcy Law by a champagne company. The company, which is a coffee wholesaler, who alleges that while assets exceed the liabilities, reorganization is advisable. Liabilities are estimated at \$55,581 and assets at \$50,000.

Chez Marianne, of which Marianne Davis and her husband, Al Davis, are respectively the chief hostess-entertainer and managing director, is unique in that it's frankly primed for Social Register patronage with tariffs in proportion. A board of directors' comprises the young horse set which, while originally helping finance the niter, also performs as paying guests through constituting the bulk of the regular patronage.

## Roger Baker Found Guilty On Boston Larceny Charge

Boston, Feb. 4.  
Roger E. Baker, former night club proprietor and sports promoter, was found guilty of larceny, forgery and falsifying accounts at the Dimond-Grynkausk Kid Manufacturing company, where he was employed in a \$5,000-a-year executive position.

Complaints charged larceny of \$15,000, but during the trial, Assistant District Attorney Daniel J. Gillen stated that the company's losses totaled about \$200,000. It is alleged that most of this was sunk in the Rosebud Gardens, a roadhouse in Wayland, Mass.

Baker also conducted the North-eastern baseball club, in which he owned every club but Lowell, Mass. Lowell won the pennant last year.

## Music Notes

Archie Fletcher, Jr., now in the New York office of the Joe Morris Music Co. It's a promotion from the Philadelphia branch.

Billy Walters is the latest addition to Shapiro-Bernstein's New York professional staff.

Joe Ricardelli has the band assignment at the Whip, upper Broadway niter.

Ralph Harrison's orchestra now at the De Witt Clinton hotel, Albany, and broadcasting over WGY. Schenectady Succeeded Edgy Lane's band.

Sammy Kaye's orchestra playing aboard the Paradise Ship, Troy, N. Y. Unit filed an arrangement at the Hendrick Hudson Hotel, in that city, last winter, and broadcast over WGY.

Harold Raymond, of Superior music, huddled in Chicago last week with his local rep, Chick Caste, then hopped a plane for the Coast.

Jimmy Grosso orch opened at Murry's restaurant, Tuckahoes, N. Y. Feb. 2, booked by Richards & Gelford.

Cally Holders' orchestra, with Bernadine Miller, opened at Samovar; Dallas, last week. Phil Lerner and Zet Herod held over.

Phil Levant and his Royal Revelers at Baker hotel, Dallas, with Betty Cannon, Babe Eastman and Dolly Chloco.

## DeMille's Vindication

(Continued from page 5)

tion and to make possible entirely independent production free from the whims of bankers and other financial backers. This same set of facts was cited, however, by the minority of the board as substantiation for their conclusion that the company was bankrupt and that its stockholders' tax liability. The minority, on this basic point, asserted that the company business was rendering services to other producers and distributors and not the independent production of films.

**Protection Against Bankers**  
Delving into the history of De Mille's picture activities, the majority remarked that to assure himself protection he desired to form an organization of his own, sufficiently financed, so that it might produce pictures independently, freed from interference of the financiers, whether banking or otherwise. The majority then reviewed formation of partnership which later became Cecil B. De Mille Productions, Inc., and the Cinema Corp., Pathe and Metro, all of which ended in disagreements and disputes over various questions. The gross income of the production company for the 1924-25 period amounted to more than \$3,500,000, and its net was in excess of \$2,300,000, review disclosed. Surplus grew gradually from \$39,368 in 1924 to \$1,000,000 at the end of 1930. Salary payments to De Mille ranged from a low of \$1,168 in 1926 to a high of \$130,000 in 1932.

Studying the management of the company's financial affairs, the majority noted that De Mille borrowed relatively small amounts from the corporation. The largest amount owed during the period was \$11,100; no corporation held any stock. Productions in 1926, while the open account in De Mille's name never exceeded \$3,471, and at one time had a balance in his favor of \$469.

Noting these facts, majority said: "In other cases, he controlling stockholders enjoyed the profits of the corporations by means of large loans to themselves, which they did not repay." Again, not so here. The majority noted that De Mille borrowed from petitioner; Cecil ran a small open account which in 1927 was overpaid, and in addition borrowed on note. His initial indebtedness to the majority was discharged by the transfer of real estate. In 1924 the company owed De Mille a net amount of \$40,000. In 1926 Cecil owed it \$10,000. The largest loan made by De Mille in 1926—\$30,000 at one time, and in the same year about \$130,000. By the end of the next year he had repaid \$40,000; in 1928 he repaid about \$40,000; in 1929 he repaid about \$40,000; in 1930 he repaid about \$40,000.

During the decade from 1920 through 1929 Cecil De Mille forked over \$230,876 in income and \$230,876 in expenses. The Government Productions anted up another \$272,952, the review disclosed.

**Justifiable Surplus**  
To substantiate his conclusion that the corporation's need for a substantial surplus was justifiable, the majority remarked that the production cost of pictures made under the various contracts varied greatly, ranging from \$200,000 to \$5,000,000.

Under nearly all of the contracts with other studios, De Mille Productions received payment for releasing the director's services as well as percentage on the production cost. Under the contract, the statement showed, insured Productions of an unspecified percentage and in addition \$175,000 on pictures costing \$1,000,000 or more, or \$150,000 on films costing \$750,000 or more.

The majority opinion, in analyzing the conflicting contentions, said that the Government made a "strong case," but based its arguments on the fact that De Mille made no showing that the accumulated earnings remained within the reasonable needs of the business and asserted that "most of those business activities, all but no two at best, were not germane to the production by it of pictures for others under contracts" and none of the other ac-

tivities were essential to such production." The minority opinion stated that "this prima facie case made by the respondent (U. S.) has not been overcome."

The second issue in the case involved the question of the Government's action in allocating to De Mille the salary paid his wife, Constance, as an officer of Productions. Accepting at face value testimony that Cecil and Constance agreed upon marriage in 1923 that her salary, income and property should remain her own, the majority held that the Government erred in charging payments to her against Cecil's total income. Evidence showed Mrs. De Mille's salary from 1924 through 1929 aggregated \$229,800, and that there was a deficiency in 1930 of \$953 in tax payments.

## 16 MM.

(Continued from page 7)

into a mile as he focuses and takes his pictures. The studio type camera costs \$350. This provides a separate microphone, which may be hidden behind the actors or scenery. However as far as the industry is concerned, the use of large corporations, the present method is that of photographing in sound with standard equipment and negative. Then this is reduced in the laboratory to the 16 mm. size. The cost of these small sound projection machines in the system of sound amplification. The \$700 to \$800 price compares with the same-sized silent equipment that sells for \$250.

Some of the sales of this business is gleaned from the fact that Chrysler now has 200 16-millimeter machines in use. E. R. Squibb & Sons is another large user. Industrial libraries containing timely sales films have been started by several of the largest firms.

Company salesmen arrange in various communities for the showing of these industrial pictures, usually through the cooperation of some civic group. In addition to the industrial films, a cartoon or short comedy often is added to complement the program.

Some of the leading companies now using the 16 mm. talking pictures in promoting sales include the California Packing Corp., Certain Feed Products Corp., Champion Spark Plug, Chrysler Motors, Canadian Bureau for the Advancement of Music, Collins & Alkman, Dodge Bros., the General Electric Co., the Canadian, Co. Hudson Motor, the Intertype Corp., Kenwood Mills, McCall's Magazine, Nash, Pierce-Arrow, Plymouth, Portland Cement Association, Squibb & Sons, Standard Oil of Ohio, and Westinghouse Electric. McCalls elaborated on this type of sales work by building a traveling theatre designated as "McCalls on Parade," with a picture structure on a truck and the small talker projection equipment and screen.

Companies now making industrial films to be reduced to 16 mm. for sound picture projection include the Dunning Process Co., General Business Films, Inc., Educational Film Co., Bray Pictures, Wilding-Pictures-Productions, Inc., Castle Films, Pathescope Co. of America, Auditions, Associated Screen News, Metropolitan Pictures Co., Loews & Fox, Norling, Carvel Films and Burton Holmes Films, Inc.

## \$6.45 FINE FOR SOCKING BALTIMORE HECKLER

Baltimore, Feb. 4.  
Tom Barry, m.c. current at the Penthouse, was fined \$6.45 in police court here last week for assaulting Wycliffe Wyse, son of a prominent Maryland physician, on Jan. 20. Barry was allegedly took place after niter closed for evening, after Wyse, who had been a patron, was leaving. Barry was arrested shortly after.

At the hearing it was brought out that the guest had needed the m.c. that had caused table comment containers at Barry while he was performing. In the light of such evidence, Barry was given light censure by the magistrate.

## Arcadia, Philly Nite Club, Goes On Radio to Offset Insolvency Rumors

Philadelphia, Feb. 4. In an effort to counteract the numerous local rumors about the possible closing or bankruptcy of the Arcadia International night club, Arthur Padula, the party-manager, is taking to the air for a subtle campaign of refutation.

Situation is a unique one here, since the Arcadia is the only nitero currently offering name bands or floor show attractions. Restaurant opened last September with Guy Lombardo and followed with Kate Smith, Buddy Rogers, Don Bestor and other names.

Padula's campaign is taking the form of periodic interviews on various stations. Nitero is now featuring Eddie Duchin's band, and the manager is sparing free time in return for supplying an informal quarter hour with Duchin and several members of the floor show. Padula sets aside a few minutes to chat about what the Arcadia is doing, its cost to him and worth to Philly.

Inside is that the place is financially solvent.

## Chi Fr. Casino Biz Ups; Hold 'Hello Paris' Show

Chicago, Feb. 4. Booking date of 'Hello Paris' show out of the French Casino here into the RKO Palace as a vaude tab has been postponed indef, following the sudden perk up of business at the nitero.

Had been scheduled to go into the Palace this month but will probably be stalled until late in March.

**Joe Zelli at Boeuf**

Since Chez Zelli (former Park Ave. Club) folded, Joe Zelli has a piece of Le Boeuf sur le Toit, New York, with Charles Brasseur. Zelli is running the nitero.

Rocky Twins are new show additions. Allina de Silva, from the original Paris-Boeuf is leaving. Billy Arnold's orchestra holds over.

Harry Jennings' orchestra opened at Log Cabin, Dallas, with Roy Wright m.c. Daphne Campbell directs singing and dancing acts.

**WANTED!**

**SENSATIONAL NOVELTY ACTS**

Suitable for One of America's Largest Cabaret Restaurants

Do Not Waste Our Time or Yours—Unless Absolutely New, Novel and Entertaining

Call in Person—Wire or Write

**RICHARD M. DECKER**

**CONGRESS**

**CABARET RESTAURANT**

Broadway, at 51st St., N. Y.

Purveyor of perfect rhythm

**TOM GERUN**

Currently holding forth with his orchestra at Chicago's French Casino and broadcasting via N.B.C. facilities... Perfect dance music rendered by a perfect aggregation.

Hear them play!

"WHEN I GROW TOO OLD TO DREAM"

"BLUE MOON"

"CLOUDB"

"THE NIGHT IS YOUNG"

"LET'S BE THANKFUL"

**ROBBINS**

**MUSIC CORPORATION**

799 SEVENTH AVENUE

NEW YORK

**JAY SEILER**

Dancing Pianomistral, Just Concluded 3 Weeks at the RKO, New York

**OPENING PALMER HOUSE**

Chicago, Jan. 31

Personal Manager

**HARRY BISTRY**

## WANTED: A DEB

N. Y. Nitero Advertiser for a Socialite—Can Hide Kisses

Social Register's nitero talent, which has been a New York cycle so far this season, reached the stage last week where the Chateau Modern, swank East side treat, advertised under 'personals' in the dailies for a socialite songstress.

Nitero advertisement added that the femme could wear a domino to shield identity.

## French Casino All Alone, But Not for Long; Parée New Show Opens Feb. 15

The last of the Broadway cabaret-theatres, French Casino, housing the 'Folies Bergeres' is now alone in the field, but not for long. The Casino de Parée having shuttered for redecoration, reopens with its new show, produced by Lew Brown and Miss Maxwell, on Feb. 15. C. de P. was the first of the new converted theatre cabarets. Manhattan Music Hall, its sister enterprise, and second in the field on Broadway, is still dark, awaiting a new attraction.

The Versailles, near the Little Picture House on East 50th street, opens this week to join the cabaret-theatre galaxy.

Featured novelty in the Parée show will be the Chicago 'flame dance', rights to which have been obtained from the owner, Michael Todd. Latter has also disposed of the European rights to Val Renshaw for the Palladium. Parée will break in a new girl for the dance, as the original flamer, Muriel Page, is detained by middle western bookings.

Balance of the Parée show, now in rehearsal, includes Mitzi Mayfair, Jack Whiting, Buck and Bubbles, Saxon Sisters and Stone and Vernon.

## 'AMATEUR NIGHT' BUG BITES PHILLY NITERO

Philadelphia, Feb. 4. Although the amateurs have been reaping a harvest here on radio and vaude stages, the first case of a nitero succumbing is recorded with Howard Lanin's Town Casino.

Room has been drawing a swank trade, and is setting off Wednesday nights as amateur spasms politely done. Auditions are held once weekly, and from the applicants is chosen a varied group to compose a complete floor show. Amateurs are not paid for their Wednesday eve appearances, but those who click on the basis of applause alone snare a two-week billet at the usual rates.

Pittsburgh, Feb. 4. Amateur nights returning here with a vengeance. Nabes have been going for them strong in last couple of months, but now they've even extended to the first-run sites, with the Alvin inaugurating the stunt Thursday night (?) and likely to become a weekly feature. There'll be prize and a week's stage engagement for the winner.

Another house to go in for amateur nite as a regular feature is Variety, local burlesque and Hold here every Tuesday, and it's cash awards for the winners.

Amateur night even has hit Harlem in a big way and the Onyx, West 82d street (N. Y.) black-and-tan nitero is likewise sponsoring a colored amateur night every week.

## Detroit 100% No-Cuv

Detroit, Feb. 4. Last of the night spots remove cover charge, the Book-Cadillac hotel's Mayfair and Venetian rooms are giving in.

**ONE MORE 'STEW'**

Dallas, Feb. 4. Adolphus hotel's ballroom will become rathskeller for opening of 'The Trunkard' Feb. 6. Company coming from San Antonio's will permit dancing between acts.

# An Editor's Tribute to a GREAT SONG

## Boston Traveler

TUESDAY, JANUARY 29, 1935

### Tiny Little Fingerprints

No songpluggers, we rise to praise a popular song. We haven't even bothered to look up who wrote it. The melody and the words are enough.

Fed up are we, and perhaps you are, on hot-cha and boop-a-joop. Jazz now jades, which was intended to excite. Jazz, be it known, is jungle music poured over nice people. And they take it, who would shriek at a vulgar word. Music can be vulgar.

What is jazz? Jazz—and hot-cha—is an air accompanied by a tom-tom, monotonous underbeat which starts slowly and frequently increases in tempo until finally the drums are rumbling continuously and the winds shrieking eerily.

The American tempo was emotionally overaped. Musicians too often have operated so as to endanger. Tom-toms have sent the blood racing, the emotion reeling, as in the jungle, where savages froth.

Comes a pause. Now upon the air floats a melody, infinitely delectable. What is it, this lovely music? You know from the start that somebody decent has done a decent thing. And then come the words, having to do with tiny little fingerprints.

America owes the author of that song and the lyricist a deep debt. To get America singing so sweetly is to help bring America's temperature back to normal. As craftsmen whose medium is words, we bow to the men who turned the American mind and voice to tiny little fingerprints. They have done a good work which many earnest editorials could not do. We would rather have written that song than win the Pulitzer editorial prize.

Reprinted by Permission of the Boston Traveler

## 'TINY LITTLE FINGERPRINTS'

Written by Sam H. Stept, Chas. Tobias, Chas. Neuman

### TO BE RELEASED FEB. 8

From the Paramount Picture, "LOVE IN BLOOM"

## "MY HEART IS AN OPEN BOOK"

Lyric and Music by Mack Gordon

## "GOT ME DOIN' THINGS"

Lyric and Music by Mack Gordon

## HERE COMES COOKIE"

Lyric and Music by Mack Gordon

## "LET ME SING YOU TO SLEEP WITH A LOVE SONG"

Lyric and Music by Mack Gordon and Harry Revel

## CRAWFORD MUSIC CORPORATION

745 SEVENTH AVENUE, NEW YORK

ROBERT CRAWFORD, Pres.

ROCCO VOCO, V. Pres. and Gen. Mgr.

# In Shanghai or Chicago—It's All the Same to A. B. Marcus!

Chicago Tribune, Inc. Ad—use in ribbon

**THEATRES** | **MOTION PICTURES**  
**WYN** | **DOWNTOWN**

**BALABAN & KATZ WONDER THEATERS**

**ORIENTAL**  
RANDOLPH NEAR STATE

All Shows  
10:15 A. M.

**TODAY! GIGANTIC  
FRENCH MUSICAL  
REVUE THRILL!**

All the spectacles of "Folies  
Francaise" plus the fun  
of "L'Opera Comique"—  
A. B. MARCUS

**LA VIE  
PAREE**

**It's Daring!  
It's Different!**

Une orgie de dances,  
de musiques, et sur-  
tout de jeunes et mag-  
nifiques demi-mondaines.

But all dialogue  
IN ENGLISH  
ONE SOLID HOUR  
OF STAGE JOY

Living Models  
Troupadours  
Show Girls  
Midnights  
Acrobats  
Dancers

Pantomimists  
Swordsmen  
Comedians  
Magicians  
Mimics  
Singers

1001 new laughs  
34 big scenes  
48 lovely girls  
12 vodvil acts  
514 costumes  
Cast of 100

ON SCREEN  
CINEMA AIR LE

(Chicago Tribune, Fri., Feb. 1 1935)

## "REVUE CONTINENTAL" AND "LA VIE PAREE"

*Direct from Triumphant  
Nine Months' Tour of Orient*

Box office records shattered in Honolulu, Shanghai, Osaka, Singapore  
and Manila, Tokyo, Japan, China, India!

*Now Marching On to New  
Marks in the United States!*

**BACK AGAIN IN CHICAGO! REPEAT ENGAGEMENT AT  
BALABAN & KATZ ORIENTAL THEATER AFTER 8 WEEKS!**

\$22,000 Oriental Theater, week of November 30. (See VARIETY, De-  
cember 2.) And now headed for a bigger week on the repeat engage-  
ment, playing currently to hold-out crowds.

### Attention Performers!

Communicate with A. B. Mar-  
cus, 2324 S. Wabash Ave.,  
Chicago, Tel. Victory 3362, if  
you are interested in joining  
show for a second world tour.  
Leaving in March for Orient,  
Australia and South Africa.  
Write immediately full details  
of yourself and act.

### THANKS TO Balaban & Katz

My gratitude to Louis R. Lip-  
stone, Nate Platt, Charley Cot-  
tle, Jim Luntzel, Ben Bloom-  
field and other B&K executives.  
One week's engagement re-  
sults in six weeks playing  
time. Now repeat engage-  
ments!

## LOOK! LOOK! LOOK!

**While Other Managers Are Blaming  
the Weather Marcus Says: "I Never  
Knew There Was a Depression!"**

**YOU'LL GASP** in amazement at this  
titanic girl-filled, surprise-laden wonder!  
**YOU'LL THRILL** to the exotic pulse-  
raising dances—the multi-colored spectacles!

**48 GIRLS** OF ALL NATIONS **31 SCENES**  
**CAST OF 70** **541 COSTUMES**  
**1001 LAUGHS** **10 SONG HITS**

SEE Salome's dance in King Herod's Court; The Saturnalia of Wanton rhythm; Native  
Geisha girls in passion rites; Scenes of barbaric splendor; 1,000 thrills.

**IT'S DARING! IT'S DIFFERENT!**

# A. B. MARCUS



# NAMES SOCKO IN 4 KEYS

## VAUDE AND 3 PIX IN SYR. AT 25c TOP

Syracuse, Feb. 4. Vaudeville, dropped by the RKO. Paramount recently as a losing proposition, returned here this week as an auxiliary to subsequent-run films at the indie Empire.

House is using this act to supplement triple-feature screen programs, flesh being an added attraction nights only, Monday to Friday, but appearing at all performances Saturdays and Sundays. Bills will change twice weekly.

An eight-piece pit band was installed for the new policy, and house is scaled at 10-15-25c for the combine of three Pix and three acts.

## Carmella Ponselle Pulls A Gaston on Sis. Rosa's \$3 Top Bako Concert

Baltimore, Feb. 4. Carmella Ponselle, asked for a week in vaude beginning Friday (8) at the indie Hippodrome, here, has asked for and received a postponement of the date.

The warblers' sister, Rosa, has been lined up for a recital at the Lyric on March 1, at \$3 top. Carmella figured her appearance here in vaude might take some edge off her sister's stiff-priced one-night stand, and asked Iszy Rappaport to shunt her date back beyond March 1.

Due to the cancellation, Bob Crosby and Dorsey Brothers' band, originally spotted for Feb. 15, had their booking moved forward to next week.

## ALBANY AGENCY BILL EXEMPTS VAUDE REPS

Albany, Feb. 4. Theatrical agencies are exempted from the provisions of a proposal introduced in the legislature for state regulation of employment agencies. At a public hearing on the bill before the Senate and Assembly Labor Committees, James E. Gray, president of the New York Association of Commercial Personal Agencies, asked that the measure be amended so as to eliminate the exemptions it now provides for theatrical agencies. Gray contended that to exempt any group is class legislation.

Similar proposals on the Democratic program for several years have failed of passage. This year's bill is endorsed by State Industrial Commissioner, Elmer Andrews. Labor organizations also are urging passage of the measure.

## Collette Sisters Also Team Up in Wedding

Collette Sisters, Ruth and Mildred, both take the vow in a double wedding in New York today (Tuesday). Ruth marries Jerry Rosen, Broadway tailor, and Mildred weds Phil Samuels, of the Samuels Bros.

After the twin hitching, the Collettes go to Chicago to step into Earl Carroll's tap 'Vanities.'

## Bucknell—Du For

London, Jan. 26. Engagement is announced of Harry Du For, of the Du For Bros., to Betty Bucknell, a dancer at present appearing in 'Dick Whittington' at the Lyceum here.

In addition to the matrimonial alliance, the couple has formed a new dancing act, and at the conclusion of the pantomime season will go to America to work there.

## ELTINGE MAY REVIVE SUNDAY VAUDE IN L. A.

Hollywood, Feb. 4. Sunday night vaude at the Wilshire Ebell, which folded two weeks ago after a 16-week stretch, may be revived with Julian Eltinge figuring on reopening in two weeks.

Half a dozen other people have had the idea but only Eltinge has gone to the point of talking business with the house.

## High License Fee Has Detroit Bookers Doubling and Tripling

Detroit, Feb. 4. In an effort to reduce the cost of licenses to operate a theatrical agency, which has been said to be the highest in the United States, many of the local bookers are doubling and tripling up with each other.

Sam Berns is doubling with the Delbridge & Gorrell office, Jimmy Rush goes in with Bryden-Worman agency, Buddy Fields connects with the Detroit Artists' Bureau and Herschel Johnson ties-in with Iodice & Brown offices.

Rap for license is \$200 on the line and a \$1,500 bond to guarantee salaries to acts, who receive a play or pay contract. High cost has been the complaint here for many years, agents at one time getting a fund together to lobby for a lower rate. Talk now is for the formation of an agents and bookers' protective association.

## RKO Drops Albany Vaude After Trying in 2 Spots

Albany, Feb. 4. Vaudeville is out of Albany after a four weeks' try at the Palace, which was preceded by a similar jolty at Harmanus Bleecker Hall. Both houses are operated by RKO.

When vaude resumed at the Hall last November it was the first time it had played the town in more than a year. It started off to big business and then after a sudden pre-Christmas closing, the stage shows were switched Dec. 31 to the Palace. Meanwhile, RKO-Proctor's in nearby Troy continues with vaude four days a week.

## Omaha's Vaudfilm

Omaha, Feb. 4. Paramount, dark six months, reopens Feb. 5 on a new policy. This will mark first time since Orpheum dropped regular vaude that any Omaha house has assumed a regular stage policy. Plan is to have split weeks with stage fare and pictures Friday, Saturdays and Sundays, and double feature pictures other four days.

William Morris office will book. Opening stage attraction scheduled for "Continental Revue." Others set include Guy Lombardo, Fred Waring and Ted Lewis units, Olsen and Johnson and John Boles.

## Rio Leaves Carroll

Eddie Rio is out of the Earl Carroll 'Vanities' tap, scheduled to play the B. & K. Chicago, Chi, Feb. 15, to rejoin the Rio Bros. act.

Rio left 'Vanities' after its legit week in Chi, with the Rio Bros. decided to open at the Chicago Friday (8), a week previous to the tap's playing there. Rio, agent by Meyer North.

## Morton-Parks

Martha Morton and Eddie Parks are reteaming for vaude, after leaving the Diamond Bros. act.

Miss Morton was originally teamed with Gordon Dooley.

## PENNER, BENNY SETTING RECORDS

Casino de Patee's Unit Getting Big Coin at Penn, Pittsburgh—John Boles Drawing Near \$50,000 Mark in Chi, but with Good Pix Support

## 40G FOR PENNER

Stage attractions are heading for records in two key cities at least this week. Jack Benny is setting a new mark of \$28,000 at Iszy Rappaport's indie Hippodrome in Baltimore, and Joe Penner with the Boswell Sisters at the Keith-Memorial in Boston are besting the 'Little Women' previous high of \$36,000 at 4G's.

Penner, with 'Carnival' on screen, is heading for \$40,000 with six shows Saturday, and from Monday on only five were possible Sunday in Boston due to the 1 p.m. opening.

Benny's record at the Balto Hipp is unusual also in that he and Mary Livingstone (Benny's Revue), drop out all day Sunday due to their Jello broadcast, with the defeated gross that day reflecting their absence. For six days with 'Carnival' on screen it's a new high.

The 'Casino de Patee' revue, headed by Milton Berle, is likewise doing bullshitz at the Penn (Loew's), Pittsburgh, although no record. John Boles at the Chicago theatre, Chi, with 'Gilded Lily' and 'March of Time' on screen, is another drawing heavily at the near-\$50,000 mark, although in Boles' instance he has good screen bolstering with him.

Last week in Detroit, Boles opposed himself on the screen when the Swanston-Boles film, 'Music in the Air,' played at an oppisish house when he was personating at the Michigan, but drew big biz regardless.

## FOX FILMS SETTLES PRODUCERS' TITLE SUIT

An out-of-court settlement was reached last week between Fox Films and Hickey & Anger, vaudeville unit producers, on latter's suit over the title 'Bottoms Up.' Filmmakers with that tag was made by Fox. Hickey & Anger claimed, after they had produced and booked the unit of that name early last spring, that they were to have come up for trial this week.

When proceedings were first begun Hickey & Anger asked for an injunction against the picture, but court refused.

## WOULD CHECK PARTNER

Marlene K. Moore Brings Suit Against Buck Cathey

Macon, Ga., Feb. 4. Charged with wasting the funds of the company and evicting his partner from the Top of the World Theatre, a suit in equity has been filed here against Buck Cathey, manager of the show by Marlene K. Moore, his partner.

Suit was entered while the show was playing in the show, has been and hearing has been postponed by Judge W. A. McClellan of Bibb Superior court pending a settlement.

Moore contends that Cathey, manager and partner in the show, has wrongfully obtained control of the revue and is wasting the funds. Paul M. Conaway, local lawyer, has been appointed receiver while the case is pending.

## All Amendments but 'Responsibility' Clause Okayed for Vaudeville Code

### TRAIN KILLS ACTRESS

Six Others Hurt When Auto Is Hit

One woman was killed and six persons injured when a train hit an automobile on a grade crossing near Elmira, N. Y., Sunday (3).

Dead woman is Connie Traffick, 22, of Brooklyn, professionally known as Connie Burns. The injured are William Demarest, Jack Weiss, Henry Goldstein, Henry Schuster and the latter's daughters, Lucille and Edna. Demarest suffered a fractured leg, but the others escaped with cuts and bruises.

The Schusters, known as the Renard Trio, were on the way to fill a date in Endicott. The others were members of Goldstein's magic act and were on their way to New York from a date in Hamilton, Ont.

## RKO Plans Hub Stage B'dcast as Substitute For Baker's Cufferoo

Boston, Feb. 4.

RKO is trying to make a deal with NBC to have Phil Baker broadcast direct from the Memorial stage the Friday night (8) he is in town, thus offsetting the tree show angle. With 'Calling All Stars,' Baker and Harry McNaughton delivered three gratis radio shows in the Bradford hotel ballroom (2,500 seats) during the run of the musical here.

## VALLEE MAYBE FOR N.Y. PAR; \$12,000 ASK PRICE

Another attraction for either the pit or the stage is being considered for the Paramount, New York, with a name orchestra the most likely to go into the house in the next two or three weeks.

Band chiefly under consideration is Rudy Vallee's, now at the Hollywood restaurant on Broadway. Asking price on Vallee for the Par is reported around \$12,000.

CBS colored unit built around Jimmy Lunceford's ork, and staged by Harry Gouffain, is also being mulled for Par's stage.

## RKO Boston Drops Units; Back to 6 Acts

Boston, Feb. 4.

Keith-Boston dropped the unit idea on the stage this week. Ranny Weeks, house m.c. and conductor, is back in the pit, with six acts playing sans benefit of George Libby's production.

With the locally built units, house carried two bands: eight men in the pit for breakfast shows; 13 men and weeks on the stage for second shift. Now two orks, of ten men each, handle the musical end. Weeks figured on way out, too, since his personality is sunk in the pit.

## Sammy White Bankrupt

Sammy White, formerly Puck and White, in a voluntary bankruptcy petition lists his liabilities at \$46,342 and assets none, excepting life insurance.

## TRAHAN WEST

Al Trahan goes to Chi for four weeks in the Chez Patee there, starting Feb. 17, at \$1,500.

Feb. 16 Al Trahan plays a one-show gamble for the annual Procter & Gamble (soap) employees' show in Cincinnati.

Amended vaudeville section of the Motion Pictures Code was okayed Thursday (31) in Washington by Deputy Administrator William P. Farnsworth and relayed to New York for signatures by the Code Authority. Farnsworth's okay was given after the disputed proposal making exhibitors responsible for payment of salaries was eliminated. Signing of the new amendments by the C. A. is a foregone conclusion, inasmuch as they wrote them. Code as it stands provides for pinning of responsibility by the C.A.

A public hearing on the 12 new amendments, concocted after much agitation in New York by producers and others that the vaude section as it was originally written caused many hardships, was held in Washington Dec. 19, last, with Farnsworth presiding. Everything was okayed at that time except the responsibility change, with this holding up the NRA's okay until its elimination last week.

The boon to vaude producers comes in an amendment allowing shorties to be laid off seven days in any six weeks after the opening consecutive two weeks because of booking irregularities, with any additional shows requiring the producers to pay \$3 per day to each chorus girl. Original code required payment to the chorus for all lay-offs.

## Alabama Rep. Introces Bill to Tax State's Lone Vaude Show

Birmingham, Feb. 4. A bill has been introduced in the House of Representatives by Representative Calhoun, designed to levy a special tax on vaudeville acts and types of entertainment in theatres with the exception of pictures.

Just how Representative figures the bill to bring in revenue is hard to tell. There is only one vaudeville house in all of Alabama. Tent shows no longer come into the state because the license is prohibitive, and road shows are few and far between.

## F&M MISSOURI DROPS VAUDE AFTER RED WKS.

Fanchon & Marco's Missouri, St. Louis, is dropping stage shows after this week.

With two acts and presentations, house has been averaging \$6,000 and losing consistently.

## Switch Friars' Frolic

Switch in bookings at the Majestic, New York, has forced a change in plans for the 27th annual Friars Frolic which is dated for Feb. 24.

Show goes on at the Imperial instead of the Majestic, but date is unchanged.

## PEG HEALY, SINGLE

Peggy Healy plays her first vaude as a single, and away from the Paul Whiteman ork. Feb. 15 at the Orpheum, N. Y., for Loew's.

Singer agent by Matty Rozen.

## UNIT REVIEWS

## FOLIES DE PAREE

(ORPHEUM, ST. PAUL)

## CASINO DE PAREE

(PENN. PITTSBURGH)

Pittsburgh, Feb. 1. Unit Lew Brown has fashioned around the Manhattan Music Hall-Casino de Paree a little slinger, like a natural for the big movie spots. Still runs a little overboard, some of the numbers are a bit ragged yet, and timing isn't too accurate, but this is its first week out and, while thing should be in tip-top shape before it leaves town. It holds everything.

It's a \$10,000 weekly show, and looks the part. Carries 44 people, including a musical conductor, Lou Forman, veteran of Palace pit in its vaude heydays, a line of 24 lookers and a showgirl contingent of an even dozen. Principals are Milton Berle, Orlino and Thomas, Cardini and Barbara Jason, with Berle carrying the load, and doing a neat job.

Comic is on and off the stage

constantly, coming out in one after a screen announcement and warming up on the stage. Berle gets through his typical Berle crossfire. Blackout immediately after is poorly spotted, and should come later, if at all, since by the time Berle gets through with his first spot they're waiting for the dames. First ensemble routine followed by Chilton and Thomas, as, class colored dance team, who's still pretty much the tops in everything from showmanship to hoofology.

A little more of Berle, this time with Barbara Jason, last around here, vocalized with Jack Denny's one. Gal registers vocally, and easy on the eyes, too, which helps. Line follows her on, there's a neat bit of production stuff with shadows behind a transparent curtain. Next is Cardini and a solid clik all the way through. Berle's monochromatic Park avenue manner, as well as his wizardry, that helps him over; he seems to be just as much surprised as the audience, and the change of cards and cigarettes that pop from nowhere. Cardini is one of the sturdiest pros the production has.

Number with six midgets and half-dozen 250-pound roosebuds needs considerable polish, and in the return, and shows out during first show. That's because it's too slow at the start, gals should drop their hoochie, and when they do, since those legs are the big laugh. Beginning of special lyrics are lost too, but finish is strong and cheering should be the same once they get the hang of it. Right now it's one of unit's weakest spots and ought to be another. But that's all. Berle naturally absorbs the next-to-closing spot, and cleans up. Uses a stooge for a bit that's too long for what it produces, and shows out. Tell it. Aside from that, however, comedian requires no apologies. He's in there working like a trojan every minute, and the idea that he's strictly Broadway is the malarky. Every time he today he's got everything he had and yelped for more.

Billing for "Casino de Paree" has been emphasizing nudity, at least in poster displays, but very little of that appears here. Perhaps it's just as well, since show doesn't need it to get over.

Production numbers, with gals all beautifully costumed and favored by some striking light-effects, need a little more precision and dance, and some clipping wouldn't be amiss, either, but that will come. Most of the material is original, and credits to Brown, who apparently has succeeded in accomplishing in the unit field what he failed to do in legit, features with "Calico All Stars." Cohen.

## TOM GENTRY UNIT

(ORPHEUM, LINCOLN)

Lincoln, Jan. 27. Tom Gentry, whose life in show biz has covered everything from performing in his uncles' circus to riding in horse operas of the films, is touring the midwest with a unit. Has an excellent band and some novelty acts which shape up into a nice variety show.

Contrary to the custom of dance men who when called upon to stage something fall into their own rut, Gentry hasn't too much hoofing and hairrion fluff to make the offering too routine. That way, instead, immediately after opening with some good music and a flash tap act, he brings on Simo Delmar, strong man and foot juggler, who muscles his way into a good chunk of audience enthusiasm, with a flock of overt tricks—at the same time he's a sharp departure from Gentry's music.

Next, Clair slaters, hoofing duo, do one number together and then break to give military tap and acro bits later. Average, but filled the bill in this bit. Zang and Gentry have two turns, a Bowery and adagio, the latter much better.

Going into the band for talent, Red Fields, but comedian, send over a novelty, "Revival Days," with a wallop and through it intro all the notions of the musical aggregation of Frederick Bros. Louis Siebers is with the unit as office representative. Running time 45 minutes. Big swell. Barney.

## FOLIES DE PAREE

(ORPHEUM, ST. PAUL)

St. Paul, Feb. 1. After several weeks' hull, due mostly to blizzard weather, house is dusting off its S.R.O. sign again and one of the best units seen here in a long time.

With the gals in colorful, trim costumes, the unit is a real looker, besides, it's hard to award laurels to any one act, but outsiders have to give the top honors to Walter, two comics who scored so solidly that they had the customers yelling for more. Berle is neat, while Waverly is a bushy-haired stooge, and funny.

On the classy side are Currie and Gentry, who are doing a good job according to the billing. Pick clicked smoothly here. Three Jacksons are a trio of strong-arm men who did some neat acrobatics that almost caught an encore. Get away from the hackneyed.

Cleora, Parisian Melodians is an 11-piece all-girl band that went to town with loads of spirit on every tune they tackled. Twelve-girl chorus is peppy and fresh looking.

Novello Brothers are on for some good comedy, as twinned, and later coming out in a burlesque bird whistling turn that rang up a goodly hand-clapping. Mile. Janis, a looker, comes out to the footlights and warbles a few pops in the intimate manner.

On the film side, "West of the Pecos" (Radio), a Charlie Murray comedy, Pathe news and an Easy Easies travelog. Top 40c. Roschick.

## Girls in Cellophane

(ORPHEUM, LINCOLN)

Lincoln, Jan. 23. Here's a show that sells easy and certainly the best. Owned by Billy Wade, its principal comic, "Girls in Cellophane" has only enough of the latter to live up to the advertising. The show is in some fast moving acts and chatter for one of the best 50-minute variety presentations to hit this town in a long while.

Show opens up on a cellophane routine which is quickly abandoned for a fast and furious tap by Haydock and Costa. Billy Pape pushes them off with a combo acro-pa routine and Wade, who imitates the famous little fellow, follows him to do "Three Trees," which is old, but polished up with some money business.

An iron jaw turn with Senorita Conchita varies the trend to make way for the girl line backing up "Madama Flonora" in "Congro" routine which is hot. Gags by Haydock and Wade break in and Le-dard and fa-la-la singer, rakes the house of applause by doing both the tenor lead and the prima roles for an aria. Pape and Pape, pencil act and Eleanore McCarthy's acro dance number go on ahead of Wade and Lee Beverly, a looker, who sells a bit of foolery.

A waltz number by the entire ensemble and a novelty inserted by Emmett Firestone in a tribal dance makes way for the Box family, old man and three kids. A fan dance by the Haydock Adair, Wade trip using newspapers closes into the finale.

## Hollywood Parade

(NIPPON GKKIO, TOKYO)

Tokyo, Jan. 7. Pantages Show, which opened Jan. 1 at the Nippon Gekijo, under direction of Arthur Silber, hasn't caught on. At any other time of the year it would be a 10 days and a definite flop but January holidays may prevent important losses to Yashigaki, Suzuki and Kajiyama, who brought it over. It's a proverb here that you can make money in any Tokyo house during the holidays with an old silent movie run backward. This show is only a very little better than that.

Show contains an excellent line and some standard vaude acts, but has been thrown together with the apparent idea that anything is good enough. Except for Eddie Gordon and his hoke bicycle act, and Dave Hacker and June Sidell with some eccentric and knockabout dance routines, there isn't a giggle in the show. Japanese audiences are easily pleased and a few extra acts on the slightest provocation. The only stop in this show, though, is the intermission.

Standard vaude acts in the revue are Jerry Coe and his accordion, Anita Lou in an acro specialty, Eddie Gordon, Passow and Lee on roller skates, Harvey Peary in a sharpshooting act and Lottie Mayfield and her 10 dancers. Other specialties are Hacker and Sidell, dancers; Ty Parvis, song and dance; Myra Mason, song and dance; Pauline Guthrie, soprano; Tommy Jones, tenor; Jack Lester, taps, and Danys Ross and Regina. Standouts are Passow and Lee, Jerry Coe, Eddie Gordon, Anita Lou, Hacker and Sidell and Tommy Jones, but they haven't been enough to make the show as a whole anything better than second rate entertainment.

Dancing follows dancing and then there's more dancing. Audience sits on its haunches, waiting to be entertained, or yells remarks at Bulet Matsui, who acts as bilingual master of ceremonies.

## NEW ACTS

## SONGWRITERS OF THE '90s (8)

Songs

12 Mins.; Three Orpheum, N. Y. Rich in sentiment is this new gathering of songwriters. Where most of the Tin Pan alley auditors have drifted to Hollywood for their activities, this group comes forth and shows how their set brain children have survived over a long period of years. Audience a bit surprised, too, at the steady introduction of old names here. By the time "Sweet Adeline" and its creator was brought forth, the house showed interest.

Frederick V. Bowers acting as m.c. explains at first that only those songs which have stood the test of years are included. Then James Kendis and his rendition of "I'm Forever Blowing Bubbles." Next was William McKenna, who sang his "Has Anybody Here Seen Kelly?" Considerable applause greeted Theodore Metz when he was introduced as the writer. Metz turned out "There'll Be a Hot Time in the Old Town Tonight." An elderly gentleman who played the fiddle besides singing.

Maude Lambert sang "When Irish Eyes Are Smiling." Bowers took bowing for "Because I Love You." Harry Ellis, also of the older school, came in for a chorus from a box. Harlan Anderson's solo act, which has really outlasted all of the others, and done double duty by inspiring a musical show and film. Bowers gathered around for one of those barber shop versions. Alice Lawlor, who has been a writer for the writer of "Sidekicks of New York," sang her father's famous song. To more or less add a certain flavor to the proceedings, this reminiscence of vaudeville mood ended in a tribute to Victor Herbert. A slide was drawn to the curtain while Gertrude Vieve Butler sang the "Italian Street Song." Some of the preceding numbers scored heavier, however. Lush with that certain appeal which catches one.

## PETCH and DEAUVILLE (15)

and Beba Barr Dancers  
Bowling, Boston 15 Mins.; Full (Special)  
Palace, N. Y.

This is the first of the \$1,000 flashes produced for RKO by Macklin Mingley and O. L. Oz, the staggers providing the talent, costumes and scenery for the grand. Originally built so that its talent could be broken-up and shifted around to work all through a vaude show here the act is en toto in the closing frame, and just a flash.

It's all dancing except for one unblinded male, who sings a couple of numbers into a mike almost from beneath the wings. Beba Barr's line is excellent and so's the billed mixed team. Girl of the latter is a fast acro dancer, while boy is a rhythmic tapper. They each solo and do two routines together, with the line on for three numbers.

Scenery is fair, but the costuming is good. Pleases as an act, but should be more so working all through a show where the continuous dancing wouldn't be so monotonous. Sch.

## Lowry in Detroit

Ed Lowry plays the Fox, Detroit, week of Feb. 15, to make way for a previously booked all-radio show at the Alvin, Pittsburgh.

## LOYALTY'S STALLIONS

Dog Act

9 Mins.; Full (Special)  
Palace, N. Y.

A flock of French poodles, with two or three of the smaller breeds intermixed, are put through their paces in a small ring, on a jump-off and on a tight wire by a ringmaster. Opening stunt has the poodles as midget ponies circling the ring and this holds the least of the act's attraction.

Outstanding trick is a black dog's balance on the tight wire, without prompting. Another poodle catches balls, knives and hoops tossed by the trainer also good. A mixed pair handle the ropes.

Good novelty, especially for youngsters. Sch.

## RAY and SUNSHINE

(THE HUDSON WONDERS)

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## Midwest's Fingers Crossed as Plans Solidify for Super-Stock in Loop

Chicago, Feb. 4.

Return of stock to Chicago and the loop after a six-year absence is in the offing. Negotiations are now on by the Shuberts to establish a 'super-stock' at the Great Northern, Harris or Selwyn. Shows will come in for two to four weeks with guest stars.

Shuberts have been discussing stock in the loop for some time. They had original plans to back Charles K. Freeman in a stock venture. Freeman is producing on his own now, however.

Sam Geeson and John J. Garrity of the local Shubert office have been in conference with the home office, and it is expected that final details will be set by Feb. 15, with the stock to open by March 15.

There hasn't been any stock around the loop since the Harry Minton days. Everyone in the legit business in the midwest is working toward the opening of this new stock venture, feeling that if the loop stock idea clicks it will be the revival of stock in the other towns in this territory which frequently follow the lead of Chicago.

### Four Closings

Four abrupt withdrawals last Saturday (2). Prisoners of War opened and taken off one week at the Ritz. English war drama drew a general panhandling. Was played over ten years ago.

### 'PRISONER OF WAR'

Opened Jan. 28. Received a thorough panning from the 100% turnout of first-stringers. Sobel (Mirror) called the English importation 'morbid, unwholesome and silly,' while Anderson (Journal) dug deeper to say, 'It is not only rot, it is rotten.'

'Creeping Fire' was withdrawn after playing about two and one half weeks at the Vanderbilt. Muddled melodrama panned and got little coin.

### 'CREEPING FIRE'

Opened Jan. 15. The second-stringer stepped into this one and most of them gave it a verbal shelling. Variety (Kouf) said: 'Hesn't a chance.'

'Nowhere Bound' taken off at the Imperial Saturday, credited with presenting unusual types but playgoers weren't interested. One night less than two weeks.

### 'NOWHERE BOUND'

Opened Jan. 22. One of the top-notch critics turned out for this one, crediting the author with a good idea, but poor development. Gabriel (American), in suggesting a new name for the piece, said: 'Oblivion Bound' would be the kindest.' Variety (Lau) said: 'It'll probably be a quick fold.'

'Crime and Punishment' played a week and five days at the Biltmore, stopping Saturday and completing the list of recent flops which took the air.

### 'CRIME AND PUNISHMENT'

Opened Jan. 22. Opinions were mixed five to one against this one among the six major critics who attended. Hammond (Tribune) thought 'It should be patronized,' but the others couldn't see it. Variety (Char) said: 'Isn't going to find a Broadway run beer and skittles.'

### SHOLES STICKS

Dallas, Feb. 5. Maxwell Sholes, resigned last week as director of the Oak Cliff Little-theatre, reconsidered and agreed to stay out the season on a play-to-play basis. Sholes had hinted he was going off to little theatre work in Shanghai.

## Shuberts Out

Newark, Feb. 4.

The Weingartens have taken back from the Shuberts the deed for the Shubert theatre, which washes up the Shuberts in Newark.

This leaves the Shubert open to any type of entertainment, with no holds barred.

## EQUITY CALLS OFF CHI 'SMALL MIRACLE'

Chicago, Feb. 4.

Equity stepped into the picture last week to call off all rehearsals for 'Small Miracle' when the producers failed to produce any bond coin. 'Miracle' was the production planned by the Theatre group headed by James Bradley Griffin, associated with the Uptown Players.

Bond, set at \$1,400, failed to appear, despite the fact that four sponsors had agreed to bond. Producers told the cast that rehearsals are 'temporarily postponed' and hustled out to raise the cash for Equity.

Information had been released by the group that they had the Studebaker signed as the house, but John Benaro, manager, states no such rental had been consummated.

## Tennyson First Contract Warbler for '35 Chi. Op.

Chicago, Feb. 4.

First signature for the coming Chicago Civic Opera season, this winter is Jean Tennyson, soprano, who made her debut with the Civic Opera this past year.

D. E. Sawyer is general manager of the organization.

## Op in Reading

Reading, Pa., Feb. 4.

Columbia opera company, which showed at Capitol theatre last winter, will present 'Risiotot and Carmen' in the same house for Wilmer & Vincent.

Louise Caselotti, Luisa Cornelia, Ivy Dale and Melissa Bay will sing. Armand Bagaroff will have charge of the two performances.

## Inside Stuff—Legit

Report that the abrupt closing of 'Battleship Gertie,' Lyceum, N. Y., was the result of the stage hands refusing to accept Courtney Burr's check for the total wages owed, was denied by the union. Show opened on Friday and stopped the next day, there being no Saturday night performance. When the crew was not paid off at the matinee a delegation from the union appeared backstage. Prior to that, however, Equity deputy was told there would be no performance. Ticket sale for the night show was about \$100 up to seven o'clock. Deckhands had \$2,000 due because of rehearsal time.

Sudden fold left several ticket brokers holding the bag. They had bought a two weeks' supply of ducats and there is about \$7,500 owing the specs.

'Gertie's' quick folding ended Burr's tenancy of the Lyceum. James Reilly again has charge of the house which relights with 'Bitter Oleander.'

John Cecil Holm, who attracted attention through the opening of his first play, 'Three Men on a Horse,' at the Playhouse, N. Y., last week, is an actor. It is a collaboration, George Abbott being teamed in the billing. Original script, however, was Holm's. His wife, Fay Drake, former legit casting agent, also aided in the writing.

Play is partly biographical. Central character is a fellow who can pick race-track winners but never bets on the races. Holm commuting between South Norwalk and New York, was in the habit of picking 'em while riding to and fro and although he called the turn, he did not make wagers.

Late Dan Hennessy, booker of the 'family' department of the former Keith booking office, often analyzed form charts and picked the races one, two, three, but he rarely if ever played his own selections.

Appeal of a decision which cleared the disputed ownership of a house at Lake Hopatcong, N. J., jointly occupied by Jim and Betty Morgan and the late Willie Connor, treasurer of the Biltmore theatre, N. Y., will shortly be heard at Trenton. Each of the Morgans and Connor had a one-third interest. Six months prior to his death the boxoffice man deeded the house to Betty Morgan in return for her taking care of him while he was ill and to protect the Morgans' interest in the property. A suit of Connor contested the Morgan ownership but chancellor's court dismissed the claim. Kim's contention is that Connor's gift deed was to clarify the title for the purposes of securing a mortgage on the house.

Last week Bob Garland, N. Y. World-Telegram's drama critic, took a pot shot at Variety's keeper of the boxscore, for itself going wrong on 'Green Pastures.' Latter show goes into its fifth year this month with Variety having tabbed it, on its New York opening, as destined to flop. Only point to be argued with Garland is his hint that Variety's review came close to being 'no opinion.' Insistence is that it was a wrong, and how wrong, with Blue (Joe Bigelow) having been the author thereof.

Gilbert Miller has purchased a plane which he will ship to England for personal use. It is a four-passenger cabin ship. Manager is not a pilot but a flying enthusiast. Licensed British pilots may be engaged at wages comparable to chauffeurs over here.

## It's Still Design-For-Living When The Lunts Jokingly Mention Coward

By CECILIA AGER

Mr. and Mrs. Alfred Lunt have a pet name for Noel Coward. They call him Head-in-the-Clouds-Coward, because, explains Mrs. Lunt, herself known as Lynn Fontane, because—'joke—he's got his feet on the ground.'

'Noel' phoned the other morning to tell me he'd just awakened from the most fantastic dream. He dreamed he called me for rehearsal and I said sorry—no. I had to go to my tailor or something. So he knew he was dreaming.' Mr. Lunt had himself a good laugh. Mrs. Lunt laughed too. It is a well known fact among the three of them, the Lunts and Mr. Coward, that nothing, absolutely nothing, could keep Alfred from a rehearsal. Besides the Lunts are always rehearsing—even when they're not at a rehearsal.

Right now the Lunts are installed

in adjoining dressing rooms at the Ethel Barrymore theatre, where they may be seen in Mr. Coward's play, 'Point Valaine,' and may sometimes be interviewed after the performance. Not before the performance, however, because Mr. Lunt has a deal of bestial make-up to put on and Mrs. Lunt says he gets fidgety if anyone's watching him. So Tuesday night Mr. Lunt was in his dressing room taking his make-up off and friends were dropped in to tell him how much they enjoyed the play and Mrs. Lunt, wrapped in a white satin smock, was appearing in the doorway that separated their rooms to greet the friends and glance at the Variety reporter, springing herself to stop just watching the charming people, asked a question: 'Is Mr. Coward as mad a head to work with as the outside he believes to be, is he really truly such a gay blade, and if so, how do you ever get anything done?'

Mr. Lunt sprang to his feet. Mrs. Lunt paused dramatically. 'But he's mad at all that. However could anyone think it! He's the most practical fellow, the most hard working!' the Lunts answered in dust, agnath. So it was that Mrs. Lunt revealed her pet name for Noel-in-the-Clouds, for Mr. Coward, and then continued seriously, 'He works so hard, so very hard, he doesn't take the care of himself, that he should be the white Mr. Lunt. However, Noel couldn't accomplish as much as he does—if he were at all fidgety.' There can be no doubt of it now, Mr. Coward is a hard-working chap.

Also, that Mr. Lunt believes 'Point Valaine' is Noel's best play. Not that he wouldn't have played in it even if he didn't think so, because Mr. Lunt feels there are certain playwrights—Behrman, Sherwood, Coward—whose work has a right to be heard no matter what they write, but it so happens that Mr. Lunt considers 'Point Valaine' Coward's best play anyway. 'Such perfect characterizations, even the very smallest ones, so consistent—written with such literate economy,' Mr. Lunt said. 'It's a peep-show, really. That's what it is. You know, a peep-show. None of that trying to make the audience like you, to spill charm across the footlights, to lure sympathy and make the audience one with the cast. No, the curtains go up and there's the play, and the audience to stay where it is and look at, not to enter into. It's a story. They either like the story or they don't, but they must watch it.'

'Pastures' was originally presented at the Mansfield at \$4.40 top. Admission scale on tour has generally been \$2.50, but for the return engagement in New York top price will be \$2.20. Show will be able to gross over \$15,000 at that price if capacity is drawn.

Astor also owns the St. James (originally Erlanger's), which is under lease to Eddie Dowling—it is also on 44th street.

Shuberts have placed the Ambassador at 127 N. Y. on said House has been something of a booking problem for several seasons because of Shubert ownership of other theatres on 48th and 50th streets, which has put the theatre building boom of a decade or so ago. Ambassador is offered for \$250,000. It was formerly valued at a much higher figure.

## ROAD BIZ MAY PULL 'LEGION' OUT OF RED

'The First Legion,' presented on Broadway by Bert Lytell and Phil Green to mild grosses, is expected to work out of the red on the road, judging from business to date. Drama was booked for two weeks in Boston, but is expected to remain four weeks. Takings last week went to \$5,500, best figure since the show opened.

'Legion' will break the jump to Chicago with a week's date in Cleveland. Following the loop engagement show is slated for the Coast.

## Dayton Season

Dayton, O., Feb. 4.

A legitimate season has been assured Dayton with booking of George M. Cohan in 'Ah, Wilderness!' matinee and night on Feb. 13, the Ziegfeld 'Follies' twice on Feb. 25 and Helen Hayes in 'Mary of Scotland' on March 30.

Walter Huston in 'Dodsworth' is a probability for later. All booked at the Victory.

Mr. Lunt confessed at the outset that they didn't play it very well tonight. It went much better last night. Why, he doesn't know, but that's the way it is, and he gave away some of his secrets. She got away from me tonight,' she was saying. Just as Miss Fontane appeared again in the doorway. Lynn, you eluded me—I had to drag you out of the league of the lazes and everyone laughed some more, Miss Fontane's laugh being unquestionably the most melodious.

Mr. Lunt, who is well known around Loew's State as the tall, dark, serious, and somewhat mysterious super show, deeply regrets that he'll have to forego that pleasure during the run of 'Point Valaine.' It takes him so long to put his makeup on that he can't get to the theatre in time. He has been, he admits it, a vaudeville fan ever since he played 26 weeks in vaude with Lily Langtry. Vaude relaxes him and amuses him, it's so interesting. The tempo is just like this, you know, and Mr. Lunt waved his arm to indicate that he meant 'Point Valaine.'

'Just like this. If you miss a beat here, you're gone. Mr. Lunt is so, Mr. Lunt promised him, a connoisseur of burlesque.

Ah, yes. Save for the art of Ann Corio, Mr. Lunt thinks burlesque has sort of fallen in a bad way. He remembers Rose Sygel, and she was La Gaiety. 'She was a dandy,' he recalled, 'but somehow she never seemed to get ahead.' As a matter of fact, Mr. Lunt said, they haven't seen anything like that since they arrived here in 'Point Valaine.' They beat each other up so much rehearsing it that now they're just rearing up from their wounds.

# NEW LEGIT CUSTOMERS

## Dramatic Critics' Box Score

AS OF JAN. 31

(Key to abbreviations: SR. (shows reviewed), R. (right), W. (wrong), O. no opinion expressed), Pct. percentage

	SR.	R.	W.	O.	Pct.
BROWN (Post)	67	58	8	1	86.6
GABRIEL (American)	68	58	10	2	82.4
ANDERSON (Journal)	66	54	11	1	81.8
ATKINSON (Times)	66	53	4	1	81.5
MANTLE (News)	66	51	15	1	75.8
HAMMOND (Herald Tribune)	63	48	12	3	76.2
SOBEL (Mirror)	51	37	12	2	72.5
LOCKRIDGE (Sun)	68	49	16	3	72.1
GARLAND (World-Telegram)	67	39	9	9	68.4
VARIETY (Combined)	83	78	5		94.0

(This score computed on a basis of 84 shows)

## Brown, Gabriel Lead at Midseason

John Mason Brown, Gilbert Gabriel, John Anderson and J. Brooks Atkinson, in that order, and all awaiting the critical apple at .800 or better, again make up the first division in the New York drama reviewers league at mid-season time. Same four also-seat boys have been on top longer than a perch worker in a pole act, so their mathematical superiority at timing the productional pitch cannot be ascribed to mere accident.

At the half-way post in the 1934-35 Broadway legit season the individual leader is Brown of the Post, last year's batting champ, who seems far enough in front to be able to repeat. Gabriel of the American, only four-time winner of the Box Score, is within scoring distance of Brown, and could cop again in the end. Brown loses ground. Their present batting averages are .866 and .824, respectively.

Anderson and Atkinson are running their now customary race for the first division's other positions, Anderson with .818 and the Times' show analyzer with three percentage points less.

Burns Mantle, who uses the star system, shows the most improvement with the panyergic stick in the current computation, topping the second division, and coming up four places since the close of last season. Mantle now is only 16 points away from the select .800 circle. Percy Hammond is sixth at .752, Bernard Sobel seventh at .725, Richard Lockridge eighth at .721, and Robert Garland ninth and last at .684. Latter is the only reviewer to drop below the .700 mark. This is no attempt to get hunk with Garland for his panning Variety for its "Green Pastures" review. It just shows this way in the record.

Gabriel and Lockridge have seen the most shows, 68 each, and Sobel the least, 51. At 58 apiece, Gabriel and Brown have been correct the most times. Lockridge leads in going wrong, 16, and Atkinson said the wrong thing least, six. Garland is first in delivering no-opinions, with nine. Atkinson committed six. Otherwise the boys are taking more than average care to express themselves, definitely one way or the other.

With its customary shyness, VARIETY reveals its own batting average of .340 for 78 ratings and five wrongs in 83 tries. Framed is right.

This mid-season score is based on all shows which have opened this season, as is the final checkup. Variety's miff of one show out of the group is because of a last week's premiere with the review due to appear in this issue.

### Akron's First

Akron, O., Feb. 4.

First legit of the season here will be at the Colonial, when "Ah Wilderness" with George M. Cohan plays here March 5.

Colonial has been adhering to straight picture policy for several months.

## OFF-SPRING OF RELIEF SCHOOLS

**Illinois Emergency Education Projects Develop New Legit Customers—Besides Employing 54 Performers as Instructors—Legit Managers Co-operating with New Patrons by Offering Cut-Rate Ducats to Students**

### OWN PRODUCTION

Chicago, Feb. 4.

Most extensive campaign into legit by a relief body is now being organized by the Emergency Educational Project of the State of Illinois under the direction of Emergency Relief committee. Plans of the organization include not only the far-flung instruction of nearly 10,000 people in the city of Chicago weekly on every phase of the legitimate stage and the relief of many indigent performers, but also the professional production of a loop show.

Illinois project is not only providing this work for unemployed performers, but is conducting a campaign to develop new talent for the stage and rekindle public interest in legit. In the few weeks that the EEP has been in operation here in Chicago the theatres report a truly new audience in the show-shops, faces which never have been seen before suddenly hitting the box-office first tickets, usually the cheapest available.

Educational Project today has increased its number of teachers to 54—They are employed at \$100 monthly, for which they conduct two classes weekly in dramatics and other phases of the legit stage. Everybody is welcome and there is no charge. Classes are held in the various Y.M.C.A., Y.W.C.A., Y.N.H.A. buildings in many clubs and in fact almost anywhere that a room is available.

### Unploughed Fields

Estimated that these 54 instructors reach 10,000 people weekly, each class carrying about 100 students and all instructors holding two classes weekly. In general these students have been pretty distant from the legit theatre with hardly 2% of them ever having purchased a legit duck.

What is particularly pleasing to (Continued on page 56)

## Court Decision in Ducat Fight Has Both Sides Puzzled; Agency Men Believe Code Unenforceable

### 'Stevodore' Plans

Chicago, Feb. 4. 'Stevodore', colored minstrel drama at the Selwyn, closed after a fine six-week stay on Saturday (2) under the auspices of the Drama Union. Several plans now underway for this show. Understood that several leading colored organizations are banding together to back the production for other cities in the country, feeling that it's good anti-race hatred propaganda. Other angle is possible tabling for vaude dates, but this is figured merely as discussion and not likely to become a reality.

## CA GETS AGENCY GUM-SHOE COIN

Distribution of money donated by ticket brokers last season for the policing of their own agencies, and by the various associations pending New York Theatres, was agreed on at the Legit Code Authority session last week. With the assent of the ticket men, \$400 was paid the CA as the brokers' end of that body's operating expense. When it was found the CA then had no authority to discipline violators of the code rules, policing thing stopped. New rules are being contested by some agencies.

Believed that the brokers kicked in with \$1,000. Actual amount was \$377, the odd figure being explained by the various assessments among ticket groups.

But only \$30 of the policing money was spent. That coin was expended in the purchase of tickets from two agencies, both of which were found to be charging excess prices. Balance of the money has been on hand, and when offered to the brokers, they refused to go through the red tape of cutting it up. Finally the ticket men assented to having it apply on the CA dues.

CA will use the brokers' money partly to pay attorney Philip Wittenberg, a fee of \$400 for his work in defending the Authority in the injunction proceedings brought by independent brokers. Which side was favored by the court, ruling appears to be a puzzle.

While some Equity leaders have privately expressed themselves in favor of Sunday's, the general membership has opposed it. Other stage organizations have stipulated that Sunday's are legalized, there shall be a six-day week and general understanding is that Monday would be dropped. Possibilities are, however, that Mondays would be substituted for Sundays during the summer period.

Washington, Feb. 4. Additional 20 days have been granted legit ticket committees to file a report on operation of Ducat Control System under the revised code.

Because injunction petitions of resalcant brokers were only dismissed last week, Farnsworth moved the deadline for committee findings and recommendations back from Feb. 5 to Feb. 25.

Attorneys on both sides in the legal skirmish over the ticket control rules in the revised legit code are somewhat puzzled over the decision handed down by Justice John B. McGehehan, Thursday (31) in the Supreme court, N. Y. Decision dismissing the application of five brokers who sought to restrain the Code Authority from enforcing the ticket provisions was first regarded as a defeat for the agency men, but from an analysis of the ruling the opinion leaves the complaining brokers in doubt whether the code is enforceable in its present form.

Plan to appeal the case has been postponed by Charles Abrams, counsel for the complaining Theatre Ticket Brokers Association, pending the outcome of what action the CA will take. Known that the latter plans to attempt to enforce the rules, but is not so sure the set-up will work. Understood that Philip Wittenberg counsel for the code-body in opposing the injunction, is none too pleased over the phrasing of the court.

Crux of the decision appears to lie in that the court regards the legit code as a contract. It is claimed that managers have not signed the code and in some quarters it is hinted that at least several managers would refuse to affix their signatures. There were two motions to dismiss the action. In dismissing one, Justice McGehehan said: 'I fail to see how a plaintiff can maintain a suit for specific performance of a contract which the managers would if they had not been bound by contract.'

### Ruling

First part of the ruling reads: 'It appears that certain theatre proprietors have signed a contract purporting to bind themselves and their will sell tickets to brokers, and those who have not signed are satisfied to adopt those terms. One of those terms is that they will not sell to brokers any provision of this code certain rules. The theatre manager can sell his tickets to whom he pleases, provided only he does not refuse on the ground of race, creed or color. These plaintiffs seek to enjoin the body which the managers have agreed shall make the rules, from making the rules.'

Court said in the additional declaration that the members specifically relinquish rights, they still have them.

That is the basis for the indie brokers feeling that the decision is a defeat for them and the majors. About 14 agencies have applied for licenses and filed bonds of \$500 that they will not violate the rules. The others, who went to court, refuse to believe any provision of this code the rules they will have to go out of business.

### Decision further states:

'As I see this case I think the plaintiffs have failed to recognize what the code of fair competition really is. It is not a fiat of the Legislature. It is not an executive decree; it is not a judgment of the courts. It is a contract drawn up by members of business, under the supervision of the executive agencies. Unless the members specifically relinquish rights they still have them. My attention has not been called to any provision of this code whereby the theatre managers have relinquished the right to refuse to (Continued on page 56)

## Monday Nights Drop Off

### Shows with Femme Draws Switch—Anticipate Sunday Legalization

As a prelude to the Broadway Sunday legit show campaign, due to start soon again with the introduction of bills in Albany legalizing such performances, several shows have dropped Monday nights, partly reaction to light attendance. First days of the week, which has been marked for the past two months. Broadway right now depends on week-end trade for the greatest part.

Show, which skip Monday for the added afternoon performances are those with distinct feminine draws. That particularly goes for 'Ode to Liberty', with Ina Claire, Liberty. The controversial 'Within' it has been, although announced to close last week, continues through the month and announced that Monday nights are out. For its final weeks 'The Distastful Side', with Hyatt Thorndike, Longacre, skipped Mon-

days. Latter attraction withdrew Saturday (2) and went to the road.

At last week's Code Authority meeting it was proposed to inform Equity by resolution that this body also favors Sunday shows. That will be in support of the stage hands and musicians, who have attitude on record, via their unions, for such performances.

Frank Gilmore, Equity prez, was not present and it was decided to table the subject until he makes a CA appearance.

### 'Vanities' Quits Road

Chicago, Feb. 4.

'Vanities' closed its road tour on Saturday (2) after its loop week at the Grand.

Show will stick to vaude tab, and now angling for variety dates.

## 'DREAM' RAI ET STAGER

## SIGNED FOR NBC TOUR

Hollywood, Feb. 4.  
NBC Artists Bureau has contracted Nina Thielade for a series of concerts throughout the country as soon as she completes staging the ballet for Warners' 'Midsummer Night's Dream.'

Between times she will stage dances for 'Dream' if and when the Max Reinhardt production plays Radio City.

### Name Arbitrators in Barlow Walk Hearing

Hollywood, Feb. 4.  
Robert Emmett O'Connor, actor,  
and Harry Sokolov, attorney, have

been named arbitrators in the Equity hearing of charges proffered against Reginald Barlow by the Lucille Ryman Productions. Barlow is accused of causing the folding of 'Blood On the Moon' at the Mayan, Oct. 14, last.

Arbitrators will choose a third disinterested party and set a date for hearing.

### **'Noah' Scenic Jam**

Cleon Trockmorton was called before the board of the Scenic Artists union on whether he or Ludwig Bemelmans is designing the sets for 'Noah,' to be presented on Broadway by Jerome Mayer next week. Bemelmans is not a mem-

ber of the union, membership of which is made up of employers and employees of scenic outfits. Throckmorton explained he designed the settings, though there were some sketches ordered from Bemelmans by Mayer. Throckmorton then supplied new sketches drawn to scale.

Mayer is a graduate of the late

**'Death' Dies**

Cast was brought back to New York and paid off with money on deposit at Equity.

**'CURTAIN' IN DALLAS**  
Dallas, Feb. 4.  
The John McKee players at the Uptown are struggling into their third week with 'The Curtain Rises.'

'Men in White' and 'Good Bye Again' drew only mediocre houses, Kirk Lucas and Virginia Stevens are the leads.

1552 Broadway (Showfolk Shoe Shop—Open till 9 P. M.)

1552 Broadway (Showfolk Shoe Shop—Open till 9 P. M.)





The sumptuous setting of cosmopolitan society of the upper-middle class in Rome at the picturesque period when bustle-worn men in an attractive background. On the whole, a first-rate picture proposition, particularly on the Continent, where many pictures are made for the "tourist" and the type that Maria Bashkirtseff personified. Curiously enough, a producer, Andor Zsolados, had that idea before this play came out, and he is making a picture, not of the play, but of the original, with Lily Darvas in the part of Maria. The picture is to be made in Germany only, financed by Zsolados, the producer; Lily Darvas, the star, and Paul Abramson, the composer.



### Paris City News

First city news association ever to be organized in Paris will start functioning Feb. 1 under James Edmonds, American newspaperman, who has secured local backing for his project. Agency, to be known as The News Bureau, will attempt to cover town as no organization has ever done before, and will cater to 135 foreign correspondents here, with emphasis on American agencies and specialists.

Edmonds himself will be news chief, with Robert Stern, former Chicago Tribune reporter, second in command and handling the night trick. Big group of French reporters, mostly on phone, will be in the line, with the bureau's American staff, handling both languages. News will be distributed by telephone and messenger in French and English. Staff of American reporters will cover strictly American stories.

Object is to provide the routine protection which every correspondent has got to have, and which now costs big money in French contacts, with little satisfaction. Service will be given to everybody free for a month, as an introduction, and then will be sold.

### Rice Blasting Again?

Elmer Rice's newest play, "Not for Children," will not be produced—at least for the time being. It is being brought out in book form by Coward's Regent. It's a play about the theatre and is figured to be some more hot comment by the playwright on critics, etc.

Involved in the action are a lot of Broadway characters, among them a radio announcer, a stage way legit manager, a professor, a critic, a playwright, an actress, etc. On either side of the stage are supposed to be a man and a woman who discuss the characters and action as it happens.

Just in case that doesn't put his whole point over, Rice is also writing an introduction for the play which discusses "certain problems which confront the playwright in the modern theatre."

### From Books to Music

Bruce Humphries, Inc., Boston book publisher, has announced a new department, issuing not only books about music and musicians, but sheet music as well.

On the music list is "Croodlin' Doo," the Eugene Field poem set to music by Roy Newman and "Shut Your Mouth," by Edwin Arlington Robinson, the three-time Pulitzer Prize winner for poetry, who makes his bow as a composer with this play. Words will be a follow-up, Louis V. Ledoux.

### Barron Now AP City Editor

Mark Barron has moved up in the Associated Press, being appointed city editor in New York. Post was formerly held by Walter Winchell, now on the staff of the N. Y. Times. Barron will continue to review legit shows for AP, but his Broadway column will be assumed by Herbert Benton, in charge of radio. Winchell will resign from the N. Y. American copy desk to become Barron's assistant.

### Reprinting Mag Serials

Book publishing plan laid by Harold Goldsmith and Harry Steeger, chain mag publishers, fully completed. Will call the affiliate to their Popular Publications the Hartney Press, with Hurd Whitney in charge. Whitney resigned from Morrow to take the post with Goldsmith and Steeger.

Hartney Press books will not be originals, but reprinting of the serials carried in the Popular Publications mags.

### Unholy Hollywood

Unholy Hollywood, 100-page pamphlet by anonymous writer, is now on the press with a first printing of 50,000 copies aimed at a two-bit newstand sale, is latest typographical blaster on the screen. Contains strong blasts at fan mags, celeb marriages and divorces, etc.

Material had previously been submitted to several syndicates, but was nixed.

### Macfarlane's Whodunit

Vogue for real-life detection tales has prompted Macfarlane to get out a new mag of that type, Famous Deeds and Crimes. A monthly edited by Herbert Bowden, it will use actual detective cases.

Joseph Applegate, who was feature editor of the defunct Graphic, will do a series for the new mag.

### Injured Scribe Prize

The "Paris" newspaperman who gets himself most seriously bunged by a cop, or otherwise injured in line of duty each year, will get \$135 prize to remember it by. "Friends of the Verter" have just founded this annual award, and recipients will be picked every year at a dinner to be held January 11, just like the Goncourt Academy and other prize picnics of literary prizes.

Vertex is a reporter who lost an eye as a result of a dispute with a policeman in the rioting a year ago. His friends grouped to help him get back on his feet, and now that they've won this fight they intend to go on contributing money to similar victims.

### Pushing Mirror's Mag

A. J. Kohler, relieved of many of his duties as publisher of the Daily Mirror, will concentrate on a national distribution of the Mirror's Sunday mag section as a week-end supplement for other dailies. Since the American Weekly is used by the Mirror, Kohler will concentrate on a national distribution of the Mirror's Sunday mag section as a week-end supplement for other dailies.

Kohler for years headed the American Weekly, which now has a combined circulation in excess of 5,000,000. With the Sunday Mirror circulation as a starter, Kohler expects to exceed that of the American Weekly.

Business and advertising of the Mirror will be handled by a staff, now being organized. New organization formed by Kohler for this purpose is to be known as Sunday Magazines, Inc. Jack Lait continues as editor.

### Irish Coining On Basketball

Ned Irish, who resigned from the staff of the World Telegram, N. Y., to turn sports promoter, has been successful with his initial attempt that of college basketball double-headers in Madison Square Garden. First three shows were sell-outs, and the fourth being not so well attended. Three more basketball cards are scheduled.

Irish has an agreement with the Garden which extends for two more seasons. Sports writer is also connected with the National Football League (professional), doing publicity and statistical work.

### Buy Man

Press of editorial work has kept Jack Lait from covering the Hauptmann trial, it being the first major murder case he has missed. He attended but two sessions at Plemington, N. J.

Lait is tied down with the conversion of the New York Journal's Saturday mag supplement, which goes into tabloid form, handling the Sunday edition of the Mirror, and in addition to other King Feature assignments, is on the radio twice weekly.

### Gortatowsky Elevated

J. D. Gortatowsky has been appointed assistant general manager of Hearst newspapers. He was formerly business manager for King Features, and has been in charge of "Directly after being elevated 'Gorty' became acting chief executive of the Hearst string when Harry Blitner, the gm, was stricken down by pneumonia. Gortatowsky went to Florida to recuperate. Ward Greene now has Gortatowsky's berth at King Features.

### Sobel's Revival

Farrar & Rinehart is doing an unusual revival of Bernard Sobel's "Indiscreet Girl," published a couple of years ago, in order to tie in with the "Great" Great "Great" (Universal Pictures) exploitation when that film is released. Sobel was the last p.p. for Ziggy.

Same publisher, in view of Time and Fortune, has referred to Sobel's "Burlesque" book, are thinking of a popular release, quoting Sobel as an authority on burlesque.

### Plans New Class Mag

Teddy Epstein back from Florida with a tan and an idea for a new class mag on which he is starting immediately. Epstein's idea is for a "Class" magazine, to be published by the New Yorker and Esquire, for the metropolitan area only.

Epstein reported talking to Cornelius Vanderbilt, Jr., to take the editorship.

### Barrie Play In May

Sir James M. Barrie has signed a contract with Good Housekeeping for publication of his new play, "The Boy in the Dress." The play taken from Margaret Kennedy's novel, "The Fool of the Family," which appeared serially in "Good Housekeeping."

## Best Sellers

Best Sellers for the week ending Feb. 2, as reported by the American News Co., Inc.

Fiction	
"Heaven's My Destination" (\$2.50) .....	By Thornton Wilder
"A House Divided" (\$2.50) .....	By Pearl S. Buck
"Another Caesar" (\$3.00) .....	By Alfred Neumann
"Heaven High Hell Deep" (\$2.50) .....	By Norman Archbald
"Via Mala" (\$2.50) .....	By John Knittel
"Forty Days of Musa Dagh" (\$3.00) .....	By Franz Werfel
Non-Fiction	
"While Rome Burns" (\$2.15) .....	By Alexander Woolcott
"American Diplomatic Game" (\$3.00) .....	By Drew Pearson and Constantine Brown
"Why Not Try Goo" (\$1.00) .....	By Mary Pickford
"Skin Deep" (\$2.00) .....	By M. C. Phillips
"48 Years in the White House" (\$3.50) .....	By Irwin H. Hoover
"100,000,000 Guinea Pig" (\$2.00) .....	By Arthur Kallet and F. Schlink

### U. P.'s Springboard

Prize spot with the United Press, outside of some of the top executives, is the motion picture-radio editorship, judging from the way these lads have gone on from the position in the last seven years. Starting with Dale Van Every, who had the job when U.P. first decided to cover films and radio, four men have left for other fields. Van Every is now scenario writer for Paramount on the Coast.

D. N. Parry, who succeeded Van Every left to go with Doubleday-Doran as publicity chief after holding down job less than a year, and then resigned to go with a major utility company at Houston as publicity director.

Webb Arts, Inc., has been in charge since 1930. In addition, Arts edits the Oceanic News letter.

### James Malcolm Dead

James Malcolm, editor of publications for New York State, died Jan. 30 in Albany. Formerly a newspaperman, Malcolm covered politics for dailies in St. Louis and Kansas City. He was married 20 years ago as legislative correspondent for The Knickerbocker Press.

### Sexy Title Tabooed

Achmed Abdullah's "Seven Lovers of Jane McNeill" will be serialized in Cosmopolitan under the title of "A Woman Belongs." Publishers objected to the sexiness of the original headline. First of a series of six Chinese yarns by Abdullah to appear in Liberty is titled "We Are Two, Not Three."

### Alexander Black Marries

Alexander Black, 78-year-old art editor for King Features, who formerly was Sunday editor of the New York Times, was married to Edith O'Dell. Later is a newspaperman and lecturer.

Black was widowed last summer through a motor car accident. Couple had honeymooned at Bradenton, Fla.

### Cerf Expanding

Bennett Cerf is adding a new publishing department to his Modern Library and Random House to be known as Ferret Library. It will consist only of reprints of detective yarns. Dozen titles already picked by Cerf, N. Y., was married to Edith O'Dell.

Ferret books will be marketed by Grosset & Dunlap and A. L. Burt.

### Threes on Diesels

Rex W. Weston, who recently resigned as general manager of the mags, Diesel Power and Motorship, has formed a new publishing organization to issue a trio of mags covering the motor field. The titles are Diesel Engineering, American Motorship and the Diesel Engineering Manual.

### Paul Issuing Topicals

Norman Paul, active in Chicago publishing circles, going into book publishing on his own under the name of the Norman Paul Publishing Co.

### Hobo Sleuth Arrives

Frederick Stokes Co. will publish "Murder on the Moon," detective novel by Garret Weston. Hollywood film writer. Weston also has options for three others. All of them will centre around the same sleuthing character, a cultured hobo.

## Book Reviews

### The Last Stand

There will be those who will think that Robert Nathan's new book, head of Ages (Knopf; \$2.50), is the finest. It is the book of the month selection for February, and will, at the very least, arouse a lot of comment. Concurrently Nathan's last book, "One More Spring," is being reviewed by the New York Times (Fox), which should help this one.

It is Nathan's fantasy-spinning at its best and most mature. Story opens with the supposition that all the Jews have been chased out of all the countries of the world and have found only one haven, the Gobi desert. They are all going there. But once the road they still can't forget their own troubles, quarrels and arguments. It's sensitive and fine writing and accurate character delineation at its best. It won't make a film.

### Weak Book, But Good Scribbles

While very little probably will be heard about "Shabby Tiger" by Howard Spring (Covell-Friede; \$2.50), the author may very well be headed towards importance as a writer. It's one of those annoying books which has a lot of good plotting, a lot of fine plotting and enough hard work in both to keep it from coming through. What Mr. Spring needed more than anything on this book was an expert copy-reader with a sizable pair of shears.

Even so the story of the artist son of a rich and titled Briton, who preferred to live in poverty and modesty and be made into an interesting film.

### Workmanlike Tragedy

Princess Paul Troubetzkoy, in her "Gallows Seed" (Kendall and Sharp; \$2.50), exhibits an expert technique. She writes a fairly good plot of the middle class man who seduces a young country girl and makes way with her when he falls in love with her mistress. It's the same basic theme as "American Tragedy," but the scene is laid in England, near Portsmouth prison, and the color is wholly different.

But it is not so much the plot as the telling which holds the reader. She writes a fairly good plot of the middle class man who seduces a young country girl and makes way with her when he falls in love with her mistress. It's the same basic theme as "American Tragedy," but the scene is laid in England, near Portsmouth prison, and the color is wholly different.

### Omnibus of Crime

Norman Klein is one of the very best whodunit spinners, although he's never had luck enough to catch the big prize. His "American Tragedy" is a fine collection of crime stories. Whitfield class, combining realistic good writing with clever deduction. Perhaps what Klein needs to do is invent a dick character whom he can hang on to, and keep him running through a few yarns. His newest book, "Terror by Night" (Farrar & Rinehart; \$2), is a peach of a yarn. It's a long island among the hills, romper mob. It's Klein's best since "No, No! The Woman." Could be filmed, too.

"Murder Unleashed," by Dorothy Bent, is a fine collection of crime stories. Whitfield class, combining realistic good writing with clever deduction. Perhaps what Klein needs to do is invent a dick character whom he can hang on to, and keep him running through a few yarns. His newest book, "Terror by Night" (Farrar & Rinehart; \$2), is a peach of a yarn. It's a long island among the hills, romper mob. It's Klein's best since "No, No! The Woman." Could be filmed, too.

"Death Blew Out the Match," by Kathleen Moore Knight (Crime Club; \$2), is a fine collection of crime stories. Whitfield class, combining realistic good writing with clever deduction. Perhaps what Klein needs to do is invent a dick character whom he can hang on to, and keep him running through a few yarns. His newest book, "Terror by Night" (Farrar & Rinehart; \$2), is a peach of a yarn. It's a long island among the hills, romper mob. It's Klein's best since "No, No! The Woman." Could be filmed, too.

"The Man in the Moon," by Kathleen Moore Knight (Crime Club; \$2), is a fine collection of crime stories. Whitfield class, combining realistic good writing with clever deduction. Perhaps what Klein needs to do is invent a dick character whom he can hang on to, and keep him running through a few yarns. His newest book, "Terror by Night" (Farrar & Rinehart; \$2), is a peach of a yarn. It's a long island among the hills, romper mob. It's Klein's best since "No, No! The Woman." Could be filmed, too.

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# Going Places

By Cecelia Ager

## Everything Oke at State

The audience at the State is slightly disconcerted to discover it's loving everybody on the bill, yet. Introduced by that nice Mr. Jessel, the singers this week do seem a little sweeter, the comers funnier, the dancers smoother, the ladies prettier. And besides, Mr. Jessel himself says they're all wonderful.

So on to Lita Grey Chaplin, handsome girl in her pale green crepe gown with a sequin halter-neck bodice. Straight and slim and friendly, she stands quite still. None of that jiggling away from the mike and rushing back for the next note with that girl. When she wants to get torchy, she shows it in her voice and expression. She doesn't need to throw in torso-tossing. And best of all, you can understand every single word she sings. She's aware of lighting values, too, changes her's with each number to fit the mood.

Smart of the little girl of Stone and Lee to wear long sheer black stockings. They're good to chubby legs, and very pretty when a little "personality girl" tears off her shortish black chiffon velvet skirt to stand revealed in splendid-fitting, short black velvet pants. The little girl, who has reddish hair, is also wearing a sheer red plaid blouse and black velvet bolero, and she dances vigorously.

Then there is that tried and true 'Living Jewels,' featuring Adair and Richards, who do their adagio and whirling ballroom-dance numbers before a black velvet hush stage, set with jeweled pieces studded with practically nudes in chiefly white wigs. The girls wear silver trunks and bandeau/draped with little bits of chiffon and decorated with flowers and the man wears a white tunic and a black Roman gladiator-style little costume and a black moustache. Also in the act, while Adair and Richards make their changes and rest from their daring jumpings, leaping and catchings, are a lady and gentleman who spin the mike with complete justification as a singing duo. The lady wears bias cut evening dresses, a cowl necklines, ruffled armholes, and belts placed a little low at the waist, even though ladies with beam should never traffic with bias cut, it's so mean about pointing out things.

## Realistic Myrna Loy

Myrna Loy, in 'Wings in the Wind,' has noticed that in real life women sometimes wear the same costume two, maybe even three times. Particularly is this little idiosyncrasy true of women who earn their own living. Miss Loy has observed, pursuing this remarkable discovery to its ultimate conclusion. Whereupon Miss Loy, who is a stickler for what real women are like—the very nicest real women—herself boldly adopts the custom.

Since she is playing a barnstorming aviatrix who earns not only her living, but also the cost of the headed aviator she loves, Miss Loy daringly permits herself to be seen wearing almost every costume in her wardrobe a second time, and furthermore, her entire wardrobe might very well be acquired from no more than the earnings of a barnstorming aviatrix.

It is a simple wardrobe, composed chiefly of sports clothes, classic berets, polo coats, turtleneck sweaters, and a practical white flying suit with a helmet that fits. Miss Loy's emotional realism has its own reward in becomingness, for it so happens that, set in simplicity, Miss Loy's completely likeable personality shines brightest. Miss Loy's clothes are never-important to her appeal, and a hard working aviatrix wouldn't have 'important' clothes anyway, not if she's sincere. Since Miss Loy's sincerity is one of her most pleasant traits, she owns, in 'Wings in the Dark,' but one evening costume, a wise one, whose Grecian gathered bodice squares her sloping shoulders, and whose long slim tunic silhouette minimizes where minimizing should really be done.

## Not So Daft Miss Sullivan

Margaret Sullivan, a nice-girl sensible-girl actress, strives earnestly in 'The Good Fairy' to be light-headed, as her role demands. She succeeds, in the whimsy part, in the slightly daft section, that persistent intelligence of hers keeps getting in the way. Miss Sullivan, tossed into the tangled complications of farce, feels she really ought to explain everything, which is okay—okay—but Miss Sullivan, who is sincere, feels she should explain everything she does to him. Since the audience knows all the explanations long in advance, it kind of gets to wishing from time to time that Miss Sullivan would please hurry up and get it over with. Let us, the audience, can be heard muttering restlessly to itself, get on.

Interspersed among Miss Sullivan's explanations of what has just happened and why, are numerous close-ups of Miss Sullivan looking very shy and coy and good. She may be seen looking wide-eyed and good under all sorts of circumstances, as an orphan with pig-tails, as a picture house usherette garbed like a musical comedy hussar, as a gel at her first party, as a gel looking into the eyes of the man she loves. As a gel at her first party, Miss Sullivan is slim and willowy in a white Chanel-inspired frock with a long fitted bodice buttoning up the front with little jeweled buttons, a full tulle-truffled long skirt, and, for some reason, black ruffled short chiffon cape.

Beulah Bondi, who plays the director of Miss Sullivan's orphan asylum, only appears to be severe and strict. Though her small features wear perspiration of their childish brows while-engaged in domestic drudgery about the place, they all love Miss Bondi and she loves them, for 'The Good Fairy' is a quaint picture, and Miss Bondi can be just as quaint as the next person.

## Wasted Motion

Nice of Barbara Stanwyck to interrupt her picture career and go into 'The Secret Bride,' darned nice of her, but not very bright. What of her, please, when she keeps telling her feet all through it, what of the Stanwyck big emotional scene which never comes—what of them? Anybody's admirers are a flock lot, alas, and also anybody can play The Governor's Daughter, as written for 'The Secret Bride.'

It doesn't take the talent of Barbara Stanwyck to sit about a governor's mansion—in a white 'at home' gown dotted with gold lame, belted and faced at the high neckline in front with black velvet—and look worried. It doesn't need her better-than-thou that services for hurrying from office to office—in a dark dress and hat, and skimpily sables slung scantily across her shoulders and down her back, even though her sable muff may be fulsome—and looking worried some more. Almost anybody could wear the clothes Miss Stanwyck wears—and that's just about all she does—better than Miss Stanwyck—for style is not one of her attributes—but there aren't many who can be as honestly moving as Miss Stanwyck, when only she's granted something to get worked up about, when only she's given something richer and deeper and more real to be than The Governor's Daughter in 'The Secret Bride.' At that, Miss Stanwyck could have taken this time out to work on clarifying her diction, but she didn't.

## Oh, Doctor!

'Society Doctor' it calls itself, 'Society Doctor'—when it's all about an interne who doesn't even leave the hospital. 'Society Doctor,' yeah! Oh, yeah!

Billie Burke feels bad about it herself, and since there is no society doctor in the picture to make an even half-way honest man of the title—

## Did You Know That—

Fulton Oursler and Grace Perkins are on their way to Egypt... Vicki Baum was a symphony first harpist before she became an author... Mary Lewis has 11 dogs... that was Ethel Barrymore chatting with Vivienne Segal during the performance of 'Accent on Youth' last Wednesday night... Mary Lewis is nursing her husband's mother... Pauline Frederick, who will play 'Queen Elizabeth' with Helen Hayes on tour, is so lovely in her heavy mourning... Eddie Cantor's daughter, Marjorie, has the flu... Merle Oberon was beautiful, the other night, at the St. Regis... Ethel Merman's mother had a narrow escape in that automobile accident... L. O. U. S. Shurr's new offices will be done by Paris... the Gil Kahns have a new bar in their triple apartment... Grace Brinkley's husband is a famous jockey... J. J. Hefetz and Florence Vidor were grounded in a plane and had to call off that big cocktail party last week.

Mr. and Mrs. Phil Green are joining the 'Dorsey' colony... the Skeets Gallagher brought their two children east, and young Bebe Lyons with her parents... much to their amazement Margaret Sullivan received the pretty blue satin gown worn with a short ermine cape, silver fox trimmed... the Ned Depnits are going west this month... Ray Rogers was in Washington for the President's ball... Jane Winton is Chez Marquaine... that was Jack Warner at the Casino, Saturday night, also Sharon Lynn and her friends... the 'Dorsey' colony... Moore's the other night... Phyllis and Billy Seeman are leaving for the West Indies soon.

except some old comic-menaces who wears a wing collar and bow tie and doesn't count—Miss Burke has determined that she, single-handed, shall make good the 'society' part. She shall be at least a 'society woman.'

So Miss Burke installs herself in the hospital as a patient, though there's nothing the matter with her save a crush on internes, determined to give it time. She brings with her her own silken sheets and bed-coverings, her colored maid, her Elsie De Wolfe upholstered bed-and-arm rest, her silk and marble bed-linen, and her own hair, and her pearls. The well-dressed bed, and lady in it, always reflects the quiet gleam of pearls. The pearls, Miss Burke's final 'society woman' touch. Miss Burke's continuously fluttering eyelids, her distraction, her trilling flute-like voice, these are her very own.

Yes, there's a nurse in the hospital, Virginia Bruce. Miss Bruce wears regular nurse's uniform, no Hollywood dressiness about them, a cap that frames her head like a halo, and a sympathetic and slightly done-in manner. The hospital's nurse-telephone operator looks like Talulah Bankhead.

## A Robot as M. C.

The sweetest, most gentlemanly sort of a robot—whipped up from gleaming bands of metal, electric-light eyes, a loud speaker voice with an English accent, and a steel trap mouth that works like a ventriloquist's (dummy's), sits all by himself at one side of the Music Hall stage this week, a significantly wistful M. C. His name is Alpha, the Mechanical Man, and he not only reads the program, but he reads it every time he announces the next number—making a loud whirring noise like wheels going round as he does it—but he is a poetic soul who yearns to speak his brassy little pieces all in rhyme, and he does that, too. Nice work, Alpha.

The show, as Alpha explains so precisely, has to do with contrasts. Like blonde and brunette, for instance, which is the Rockettes' business, and which splits their ranks asunder, half of them are ungivingly blonde wigs, half under brunettes. Then the blondes proceed to act like blondes: in flame taffeta short bodices with grey chiffon long—and transparent—skirts, they prance frisky hot-cha, frank and honest. The brunettes, now, in grey taffeta short bodices and flame chiffon long—and transparent—skirts, they're hoity-toity. They're cool, they're aloof, they're languorous, they're slink.

Next contrast, Sublime and Ridiculous, with the ballet corps Sublime, of course. Sublime, in white ballet skirts, besprinkled with flowers, gliding with diamonds, their lovely smooth gliding—and on their toes, mind you—sautéed with ethereal blue light. Head sublimar, Hilda Eicher, fights a winning fight with mists of orchid tulle.

Final contrast, Night and Day, asks of half the ballet corps that they write the modern day, in front of a huge silver disk; themselves draped throat to toe in black satin, the disk is hung with a cloth that descends down their backs, a stylized long-haired wig. The other half—Day—wears shades shaded the colors of the dawn. There is a lot of running and falling in front and behind the silver disks—that by now have rolled about in a series of classic frieze formations, until, in the dawn itself, comes up on an upstage elevator, exemplified by Rockettes in their gold sequin surcoat costumes, and the thing is settled once and for all. This Night and Day contrast, it's been a problem all right.

# Studio Placements

(Continued from page 29)

Harry Trier, 'Public Enemy No. 2,' Metro.  
John Meehan, Jr., 'Save the Pieces,' U.  
Hobart Bosworth, 'The Crusades,' Par.  
Mary Forbes, 'Laddie,' Radio.  
Oliver Tell, 'Small Miracle,' Par.  
Charles Selson, Irving Bacon, 'It's a Small World,' Fox.  
Robert Gluck, 'Olin Howard,' Case of the Curious Bride, WB.  
Dorothy Burgess, 'Village Tale,' Radio.  
Sidney Miller, Richard Quine, 'Dinky,' WB.  
Russ Powell, 'Call of the Savage,' U.  
Patricia Chapman, 'Princess O'Hara,' U.  
Gladys Gale, 'Gumshoes,' Col. short.  
Nat Pendleton, 'Times Square Lady,' Metro.  
Betty Jane Haney, George Ernst, 'Dinky,' WB.  
Ruthelma Stevens, 'People Will Talk,' Par.  
Adrian Morris, 'I'll Love You Always,' Radio.  
Joan Gale, 'Miracle Rider,' Mascot.  
Tommy Jackson, George Humbert, 'Case of the Curious Bride,' WB.  
Bobby Connolly, directing dance number, 'Go Into Your Dance,' WB.  
Claude Binyon, screen play, 'The Bride Comes Home,' Par.  
Betty Jane Haney, directing 'The Bride Comes Home,' Par.  
Joseph North, Akim Tamiroff, John Sedor, Meeka Aldrich, John Aronson, Nettie LaFayette, Alice Ardell, Elsie Peterson, Arthur Houston, Harrison Meeker, Corinne Williams, 'The Girl in the Tower,' Par.  
Ray Milland, 'The Glass Key,' Jungle, Par.  
Susan Kaaren, Leon Waycott, Clifford Jones, Sam Hinds, 'Strangers All,' Radio.  
S. K. Lauren, screen play, 'Maid of Honor,' Col.  
Anthony Coldeway, adaptation, 'Super Speed,' Col.  
Charles Brackett, Harold Larrin, reviewing script, 'The Crusades,' Par.  
Tiffany Thayer, screen play, 'Criminals,' Par.  
Jack Cunningham, writing original, Par.  
Jack Kirkland, Dale Van Every, scripting 'Federal Dick,' Par.  
Norman Krass, scripting 'Guns,' Par.  
Mark Connolly, adapting 'The Good Earth,' Metro.  
Joel McCrea, Lytle Talbot, Rosemary Ames, Herbert Mundin, 'Heavenly Gate,' Fox.  
John Robertson, directing 'Heavenly Gate,' Fox.  
Albert Conti, Pat Moore, 'The Crusades,' Par.

Gall Patrick, Lillian Harmer, 'Big Broadcast of 1935,' Fox.  
William Bakewell, 'Laddie,' 'Strangers All,' Radio.  
Frank Reicher, Sidney Toler, 'Star of Midnight,' Radio.  
George Olfertman, Jr., 'Spring in Paris,' Radio.  
Andy Clyde, Arthur Hohl, Dewitt Jennings, Otto Fries, 'Village Tale,' Radio.  
Virginia Sale, 'It's a Small World,' Fox.  
Mike Simmons, screen play, 'Jim Burke's Reckless,' Radio.  
Alan Crossland, 'Keep On Dancing,' U.  
Stuart Palmer, Marjorie Klein, screen play, 'Keep On Dancing,' U.  
Clare Verdera, Helena Grant, 'Werewolf of London,' U.  
Barlowe Starnard, 'Folies Bergere,' 20th Century.  
Frank Grenard, 'Dinky,' WB.  
Ricardo Cortez, Mary Astor, 'Dinky,' WB.  
Philip Wyle, adaptation and screen play, untitled pic, Par.  
Robert Allen, untitled pic, Columbia on a six months' option lift.  
Mary Russell and Philip Reed, untitled pic, six months more by Warners, with Reed later at once into 'Case of the Curious Bride.' Helen Westley given a term at Robt. Allen studio in 'Captain Hurricane.'

MG handed a term ticket this week to Edward Ward, as musical conductor.

Kay Francis will be a Warners star for at least another year, studying having turned her for the 12-month period.

Option on Erik Rhodes, signed by Radio after 'Gay Divorce,' exercised by company last week.

Melville Cooper, now in London Laburnum Grove' legit cast, contracted with MG to come here when the play closes.

Pat Flaherty, 'Naughty Marietta,' 'Times Square Lady,' 'Casino Murders,' 'The Girl in the Tower,' 'Happened in New York,' U.

Jimmy Butler, 'Dinky,' WB.

Sam Flint, 'It Happened in New York,' U.

Monte Collins, short, Col.

Kurt Gillan, 'Under the Pampa Moon,' Fox.

Walter Johnson, 'Scandals,' Fox.

Waldemar Young, scripting 'This Dream,' Par.

Harry Ruskin, collaborating on continuity of 'The Hot Chickens,' Par.

Lambert Hillyer, scripting 'Gody Guard,' Col.

Henry Symonds, original, Col.

Edward Richelle, '3rd Cent. Jack Conroy,' directing, Howard Emmett Rogers, screen play, 'Mammy Making the Man,' MG.

Ralf Harolde, 'Stolen Harmony,' Par.

Billy Gilbert, short, Col.

Monte Collins, 'Under the Pampa Moon,' Fox.

Russ Clark, 'Princess O'Hara,' U.

Alf Gorman, directing, short, Col.

Janet Beecher, 'The Village Tale,' Radio.

Donald Wood, 'Case of the Curious Bride,' WB.

## 50 YEARS AGO

(Continued from page 53)

Lyne's 'Guaranteed \$250 by one horse. Rejected \$100 after the first act, with the assurance that was all there was. Went over to the depot and sent the house manager a note the first act was all she could afford to give for \$100.

Harrigan and Hart, who had gone into the Park when their Comique burned, announced they would shift to the 14th St., giving that house their name. To play on shares until the end of the season and then take over the lease.

Jake Tannenbaum, casually referred to as 'the old-time minstrel leader,' wrote Clipper he was first to stage a female minstrel. Later a big figure in the south.

Clipper commented on the scarcity of song and dance teams. Some got married; others formed quartets.

The Hanlons, who had been playing 'Voyage en Suisse' for four or five years, were to split. Ed and Fred were to go to Italy with 'Voyage' and the new 'Fantasma.' George and William to go into the American 'Fantasma.'

Victorien Sardou admitted to a French newspaper that he had plagiarized 'The Count' from an earlier play of the same title, and L'Empereur et Juive, an old French drama.

Matinee audience at the Indianapolis Grand was so small it was dismissed. No trouble at the evening show—nobody came.

# News From the Dailies

This department contains rewritten theatrical news items as published during the week in the daily papers of New York, Chicago, San Francisco, Hollywood and London. VARIETY takes no credit for these news items; each has been rewritten from a daily paper.

## East

"Thumbs Up" to have a host in the New Orleans Mardi Gras parade. Manks will be used to suggest the actual players.

Mayor LaGuardia in conference with Met opera heads. Want the house in its spare time for his new municipal art center. More time will be required to arrive at any definite conclusion. One handicapped will probably be the stockholders' boxes. Owners expected to resent their loss.

Mrs. Barbara Chapman, known in pictures as Barbara Scherman, killed herself by inhaling gas in her Cliffside Park home Jan. 28. Cause not explained.

St. Shubert in a mild run-in with the Shuberts. He hired the 44th St. theatre from Vincent Astor, the Shubert lease being about to expire. Told them he would not permit Shubert advertisements unless they granted him decent privilege in their other houses.

Nazis read Ernst Lubitch out of the party. His German citizenship denied forfeited.

Hand Curman boosing the staging of "Awake and Sing".

To celebrate his 50th anniversary, Dr. Walter Damosch will be at the Metropolitan Opera House, 12, including a part of "Die Meistersinger," which was his first directorial job. His father, Dr. Leopold Damosch, died while visiting the first season of German opera at the Met, and his son assumed his baton in 1925.

Albany has a bill to discourage tipsters. Newspaper can give their own racing tips but cannot advertise "special" selections. It's not passed yet.

Fay Webb White in town. To confer on coming trial for more alleged tipsters.

Danish American sales corp., 130 W. 42d street, raided by the police. They got a million lottery tickets and 112,000 type of slot machine. Two officials booked on a triple lottery charge.

Julliard school pupils sang "Orpheus" in their auditorium. Wagoned \$400. Cause augmented by members of the N. Y. Oratorio society.

Robert E. Sherwood, accompanied by his daughter, Mary, off to London. Says he can do no work here. Too much temptation to hang around the theatre.

Gilbert Miller reports a deal to bring Herbert Marshall back to Broadway, but not until next fall.

Paramount coughs up \$60,000 for film rights to "The Great Gatsby".

Katharine Cornell shows "Romeo and Juliet" over to Feb. 23, but announces that's positively the last time this season.

Legit Theatre Code Authority declared for Sunday shows at its meeting last week. Labor members try and persuade Equity to acquiesce.

Lillian Bond announces in Miami her engagement to Sidney Smith is "definitely" broken.

Will of the late Marcella Sembrich leaves most of her estate to her son, Marco Williams Stengel. He gets his mother's personal effects and certain specified securities, also seven-twentieths of the realty estate. A nephew in London gets three parts and a niece the remaining two. Small legacies to grandchildren and others and her summer home to her daughter-in-law.

Man booked as Ernest Hammett, but believed to be Kelly Collier, by Jack H. Moore, who was arrested in September by Linden, Penn. police for alleged bombing of a theatre there, taken in Newark last week. Some 60 sticks of dynamite found along his office in his father's birthplace. Didn't take the Mrs. along because it's no California climate there.

Cobina Wright nixed in her divorce cause against her husband, William May Wright. Testimony showed he was never living with her though his companion wore pajamas. Judge told her to get more convincing evidence.

Eddie Dowling offering a combination ticket to "Thumbs Up" and Miami. Patrons see the show

In the evening, hop a plane and have breakfast in Florida.

Max Mela, musical director of "Revenge," working on tab versions of current musicals to be presented in New York parks this summer.

Federal grand jury of Philadelphia orders for the independent exhibitors in their suit to restrain nine picture producers from enforcing a contract clause against double exhibition. Judge Welsh commented he found "an almost complete domination by the producers, who could strangle the cultural life of the nation." Cause ordered abrogated. Help to be well studied intent to accomplish a purpose prohibited by the federal laws.

Internal revenue department lost \$1,000,000 in income tax in excess of \$1,000,000 from Cecil De Mille and Cecil DeMille Productions, Inc. Had held the corporation was "guilty of a conspiracy to prevent taxation." Also claimed he was behind his 24-30 personal taxes. Board ordered a re-audit.

N. Y. Supreme Court upholds managers' contention they have a right to issue tickets for resale to those they please, without regard to visions held unconstitutional by Justice McKeen.

Within a "dash" back at the National did not close as intended. Now dated until Feb. 23. Field of "Ermine" shifted to the Biltmore in the audience.

A. C. Blumenthal's former valet, Joseph Wagner, brought suit in White Plains for \$4,861, which he asserts is the value of his wardrobe lost in the fire which destroyed the Blumenthal home in Larchmont. Decision reserved. Some of the suits were given to Wagner, but he had 98 suits, including a dozen which cost \$2 each.

Dorothy Bell, socialite, denies she and her sister-in-law, Mrs. John R. Fell, are going to Hollywood for pictures. Just going, she says.

Chauncey H. Kipperley, attorney for the loan of Chester Hale to stage some dance sequences for a pic. After banning Pola Negri, Hitler changed his mind and put the okay on her.

Prosecuting Attorney Wilentz thunders denunciation of the "stealing" of actual Hauptmann trial pictures screened last week. Wired all newspaper companies to "em."

May be a press gag, but S. J. Rosenberg says a man stole his music case and refused to return it until the swiper's songs on his air program.

Atlantic City authorities announce lace bathing suits will not be barred this summer. Black lace, but with a flesh color.

Wiman & Kondolf has locked "A Room in Red and White" until fall.

George Bernard Shaw says there are no undesirable films, though he admits some may not be desirable to an archbishop.

Dorothy Atkinson, Paul White-man's niece, and recently in the "Roberts" chorus, married to Dr. Ringling, B. Harrison at Harrison Feb. 1.

Julliard school to do "Maria Malibey" in new color in New York in 1935. Will be sung four times.

J. J. S. National theatre, Bronx, held up Saturday night, while Henry Loew, brother of the late Marcus Loew, was temporarily relieving the Biltmore cashier. Robber got about \$5,000, as the main receipts had been banked. He also took the cashier's pocket book. Loew fired two shots

at the man, who was tackled by a passer-by, and he dropped the loot. An off-duty policeman also fired four shots and later the man's body was found a few blocks distant, having evidently been pushed from the car by an accomplice.

Times Square all kinked up Saturday night in a melting snow caused short circuits in trolley conduits. Lasted about two hours.

Theatre Union decides upon "The Pit" as its first film for this season. Coal mining story. "Strike Song" won't be sung until next fall.

Clayton Kopp, who played play Sir James M. Barrie has written for Elizabeth Bergner. But it will have to wait until next season. "Postman Rings" is fading from this season's schedule. Casting trouble.

Maybe "Pony" next.

Frank Wilson, who says he has not signed with Billy Rose. Has had conversations, but won't decide until he gets to New York and can talk turkey about the money end.

Paul Mellon, son of the former Secretary of the War, married to Feb. 2 to Mary Conover Brown, who was once the wife of Karl Brown, picture director.

Frank Wilson, who played "Pony" in the drama of that name, now Mores in "Green Pastures".

Richard J. Barckley & Bailey wags all to go rubber tired this year. Change made at Saratoga this week.

Trene-Purcell, struck by a taxi several weeks ago, but just telling about it now, is set to star in a show.

Saturday (2) a banner day in Square theatres. Afternoon showed 19 sellouts with 14 in the evening. Seats of the house in E. Flanders receives a refund of \$54,628 federal inheritance tax.

Not Lark Little's arranger, hitched to Doris Delaney, chorine, Jan. 31.

Lucy Cotton Thomas Magraw bought the Deauville club, Miami Beach, last year. Now she faces a suit for involuntary bankruptcy.

**Chimes Out**

Zero weather didn't stop the chime clock sponsored by a branch of the 44th street and Broadway. Beer people's lease on the roof expired and the contraption was dismantled last week. Chimes, which accompanied the tolling of the hour through amplifiers, was perhaps Broadway's strangest noise.

Similar device was being erected in another midtown location, but tenants in the section squawked so heartily that the thing was not set in action.

at the man, who was tackled by a passer-by, and he dropped the loot. An off-duty policeman also fired four shots and later the man's body was found a few blocks distant, having evidently been pushed from the car by an accomplice.

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**\$17,500 Verdict Affirmed Against Winchell-Mirror**

A \$80,000 libel verdict against Walter Winchell and the N. Y. Daily Mirror, Inc., was ordered out in half by the Appellate Division of the N. Y. Supreme Court, and, if agreed to by the plaintiffs, affirmed unanimously. A supplemental \$2,600 award against Winchell individually for "malice" was not cut but sustained, making the total of \$17,500 in favor of Fleetwood Foundation, Inc., the plaintiff.

From understanding, the Mirror's Broadway chatter is contractually committed to defraying the costs of all libel defenses involving his paper; also to assume the liability of any such damage award. In all proceedings, both Winchell's own lawyer and the Mirror's regular counsel appeared for the defense.

Richard J. Mackey, attorney for Fleetwood, consulted his clients as to their acceptance of the reduced damages, and they have indicated they will abide by the Appellate Court's suggested compromise. The higher court otherwise opined that a new trial would be ordered with costs to the appellants. As modified, no costs are allowed. It was an unanimous decision.

Action arose from the promotion of Fleetwood Foundation, Inc., as a semi-theatrical and sporting beach club, situated about 100 yards, from the Lido Beach Club at Long Beach, Cal.

Winchell was on the original board of governors, but when Eddie Cantor, who was also listed on the prospectus as a co-board member, voiced objections to the Broadway chatter, a new prospectus was issued and Winchell's name dropped. Cantor's reason was given to be that he would not feel at ease in the organization for fear some gossip in Winchell's column would eventuate from the club or involving the beach club members. Winchell's story in the Mirror was also an admission of his diversion as being "operated as a racket." Fleetwood Foundation, Inc., eventually abandoned its beach club promotion, refunded some \$7,500 in advance for membership, and found itself tied up with a piece of beach property, but no club. It sued for \$245,000. The jury awarded \$30,000 against the paper and the columnist, and \$25,000 against Winchell. Winchell, about \$1,000 in interest has since accrued.

## VARIETY'S BROADWAY GUIDE

For show people as well as laymen, this Guide to general amusements in New York, first inaugurated here in 1926, is revived and published weekly in response to repeated requests. VARIETY lends the guidance of its Judgment in the various entertainments detailed.

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**PLAYS ON BROADWAY**

Current Broadway legitimate attractions are completely listed and described in this Guide. The list is intended for the use of no one but the theatergoer. In that department, both in the comment and the amount of the gross receipts of each show will be found the necessary information as to the most successful plays, also the scale of admission charged.

**FILMS ON BROADWAY**

Similarly the new pictures in the Broadway first runs and combinations are covered weekly in the reviews, the film gross box office story and the standing box on Page 6 which indicates the new films for next week and the week after.

**BEST NEW FILMS ON BROADWAY**

R. C. Music Hall—"The Good Fairy" (U).

Roxy—"The Secret Bride" (U).

**HOTCHAS IN THEATRE**

Onyx Club on West 52d, Ubbang in Harlem, Nut Club in the Village, and King's Terrace in Times Sq., are sufficiently heated for the hectic nocturnal addicts. Savoy ballroom in the heart-of-Harlem, under guided local auspices, is also a kick for a flash of some McCoy Lindy hopping and dancing.

Less hectic but equally hilarious, Eddie Davis' saucy songs at Leon & Eddie's and the mauve-decade gang-singing at Gay-90's are surefire for lively diversion and divertimento.

The "nice boys" who haunted the Village hideaways are now something else, and the club Richman with an elaborate floor show and femme waitresses.

Harlem's Cotton Club and Small's Parades are highlights for the black-and-tans. There are other hideaways but they, too, must be guided by insiders, principally professionals.

In line with kill-time spots, the taxi-dance ballroom in the Broadway area is sometimes a laugh looking for excitement. Any number of Times Sq. side-street dancesteries are also good diversion if yearning for "different" type of atmosphere. Mim's Faubourg-Montmartre and the Bal Musette are in that category; likewise the Cafe International, and any number of Italian eateries. Latter have about killed off Little Italy, since it's easier to get everything in the field right in the Broadway world without taxiing. However, authentic Flamenco entertainment like El Chico in the Village, and Havanaes like the Cubanese in the Spanish section of Harlem, are well worth the trips. Boris Tomashewsky's Old Roumanian on the east side is a different type of Ghetto-American nocturnal divertimento.

**CLASSY AND 'POPULAR' NITERIES**

Smarter east side (mostly) eateries such as Robert's, Volain, Crillon, Colony, Maison, LaFitte, El Morocco, House of Lords, Jack and Charlie's Club New Yorker, the New York Club all have axes. Anna Held's in Town in Sutton Place is a bit more formal.

French Casino in Rockwell Center, where Ethany Green at the St. Regis hotel; Libby Holman and Leo Reisman's music near at the C. P. Casino; the Savoy-Place; the Waldorf; Ozzie Nelson at the Hotel New Yorker; Peppy's Chappa Rousa and the Plaza Piquette are among the smarter supper hotspots. Some of 'em starting to ease off because of the Florida and resort exodus but they're class with a capital C.

French Casino's "Folies Bergere" review the sole cabaret-theater left now that the Casino de Pares has shuttered preparatory to reopening Feb. 18 with its new show. Paradise and Hollywood among the out-stander mass cabarets.

**RECOMMENDED PHONOGRAPH RECORDS**

(Under Disk Reviews will be found the recorded outstanders regularly each week.)

**RECOMMENDED NEWEST POPULAR SONGS**

"Don't Be Afraid to Tell Your Mother"—Novelty boy-and-girl ballad with a different twist.

"So Close to the Forest"—Ballad with an almost poetic lyric; a better grade song.

"Things Might Have Been So Different"—Another in the colloquial type of unrequited amour.

"Don't Cry Baby"—Isham Jones' latest fox-trot ballad.

"Rain in Spain"—Melodic tango fox-trot.

"The Church Bells Toll"—Sentimental parlor-piano refrain, but not so sloppy.

Pleading guilty to a violation of the immigration laws by bringing a Mexican actress into the country without a passport, Clarence Brickwood, production manager, was sentenced to six months in a Federal road camp and fined \$1,000.

Testifying that she "knew her husband was not a Jew" a month after his death, Mrs. Hilda Garber, film player, was awarded \$10 a week temporary maintenance and \$250,000 out of her divorce action.

Radio-Pathé Forty Acres studio at Culver City threatened with default in the payment of a \$20,000 loan through one of the standing sets.

Fire destroyed the Rendezvous ballroom at Balboa Beach, Cal., with two children and a dog, and swept through one of the standing sets.

Paul and Evelyn Osborn, stage dancers, seriously injured in Los Angeles when the motorcycle on which they were riding crashed into an automobile.

Los Angeles county sued Zane Grey for \$4,528 in taxes.

Public sale of Karl Dane's estate brought \$197. Discarded as worthless were 101,000 shares of mining stock.

Thieves broke into Jackie Cooper's Beverly Hills home and made off with a suit and a pair of wearing apparel.

J. Roy Stewart, film director, won a judgment for \$4,966 against Almee Semple, a person on the ground he breached a contract which called for Stewart to produce "Clay in the Potter's Hands," a picture which he never made.

Bill introduced in Sacramento would abolish breach of promise and Jimination of affections as grounds for court action.

Settlement of \$612,000 damage against a movie firm, the result of an accident near Bakersfield, Cal., which took four lives, was approved in Los Angeles Superior Court.

Arthur Goodwin, insurance man and former agent, receives \$20,000 for the death of his wife and \$10,000 for the death of his son. The producer, will be paid \$18,500 for his wife's death, Award of \$10,000 is made to his 12-year-old daughter, set to be married in the tragedy.

(Continued on page 63)

## BILL UP IN ALBANY TO END RACE TOUTING

Albany, Feb. 4.

Senator John McCall, New York City Democrat, has introduced a bill in the Legislature which would class as a misdemeanor the giving of tips or other advice on racing. Persons found giving such information as to a race or dog track, would be liable to a fine of not less than \$25 or more than \$50 or imprisonment of from five to 30 days. No suspended sentence could be given. A bill against tipsters was introduced in Albany last year, but it was pertaining to such tips also would be prohibited. Newspapers, however, would be permitted to continue to publish race columns on the outcome of sports events.

## BIRTHS

Mr. and Mrs. Ernie Westmore, daughter, Jan. 27, in Hollywood. Father is screen makeup expert. Mother is screen Ethelyn Claire, screen actress.

Mr. and Mrs. Ben Bloomfield, daughter, in Chicago, Jan. 28. Father is manager of B&K Oriental in Chicago.

## MARRIAGES

Antoinette Lowrance to Dean Jagger, Bingham, Mass., Jan. 27. Groom is a picture actor.

Larry Wellington to Mary Montanary, in Chicago, Jan. 28. Groom is a member of The Westerners' Action WLS, Chicago.







# OBITUARIES

**H. BART McHUGH**  
H. Bart McHugh, 75, died Jan. 28, at his home in Philadelphia following a second heart attack in two days. He was 75 and active to the end as head of the National Artists Bureau, central casting office and talent agency for all the radio stations in Philadelphia.

In becoming head of the N.A.B. five years ago, McHugh gave up a 30-year career as a vaudeville producer and agent, to go into radio. Before entering show business, he was a star agent of the defunct Philadelphia Item.  
McHugh, however, attained more fame as originator and director of the annual "Mummers' Parade" in Philadelphia than he ever did as a talent purveyor, although he discovered and brought to the top a number of vaudeville headliners. Ex-Mayor James J. Walker once purchased McHugh to stage a Mummers' Parade in New York, an event

married Miss Norton, and together they did acts in vaudeville. The growth of pictures and the downfall of vaudeville led them to Hollywood. Miss Norton survives.  
Funeral services were conducted by the Masquers Feb. 4 and the body was cremated.

## MRS. MARJORIE GOULDING

(Marjorie Moss)  
Mrs. Marjorie Goulding, 45, wife of Edmund Goulding, Metro director, died Feb. 3 at her home in Palm Springs, Cal., after long illness of pulmonary disease. She was Marjorie Moss of dance team, Fontana and Moss, before marriage to Goulding two years ago.  
She was taken ill in New York and brought to California six months ago, being bed-ridden since at their Beverly Hills and Palm Springs homes. Funeral service take place Feb. 6, with burial in Forest Lawn Cemetery.

## MRS. EDWARD J. CONNELLY

Mrs. Edward J. Connelly, 75, stage actress, died Jan. 27 in Los Angeles after a brief illness. Under her maiden name of Annie Virginia Ross she appeared in the original Hearn "Shore Acres" and many other productions. She was widowed seven years ago when her husband, 13 years with Metro as a stock actor, passed away.  
Funeral was held Jan. 30 with burial in Hollywood cemetery.

## SAM DILL

Sam Dill, formerly manager of the American Touring Corp., the John Robinson show, and until recently co-owner with Tom Mix of the motorized show which has been touring under their joint names, died in Los Angeles Feb. 1 of a complication of diseases. He is survived by his widow, father, two sisters and brothers. Funeral services were held in Los Angeles Feb. 4, with interment in Bloomington, Ind.

## EDDIE BOLAND

Eddie Boland, 52, died of a heart attack Feb. 3 in Santa Monica, Calif.  
He was long known on the Coast as an actor and theatre manager, also as treasurer of the Grand opera house, San Francisco.

## CONNIE BURNS

Connie Traflet, 22, professionally known as Connie Burns, vaudeville actress, was killed near Elmina, N. Y., Feb. 3, when the car in which she was making a jump was struck by a train. Details in the vaudeville section.

## BARBARA CHAPMAN

Mrs. Barbara Chapman, who formerly played in pictures as Barbara Scheraga, died of gas poisoning Jan. 23 at her home in Cliffside Park, N. J. No motive can be ascribed to her act. She was recently married to Milton K. Chapman.

## BURT SMITH

Burt (Pap) Smith, 74, circus clown, died in Kalamazoo, Mich., on Jan. 29.  
Smith had been with some five circuses during his career and was particularly known for a trained goose act.

## BILLIE McCORMACK

Mrs. Billie B. Burke, known professionally as Billie McCormack, died in Santa Monica, Cal., Feb. 1. Funeral services and interment in Hollywood Feb. 4.

Charles Liebman, 78, died Dec. 24 in New York. Burial was in his birthplace, Youngstown, Ohio.

Liebman was a musician and also a musical teacher in N. Y. and Youngstown, leading pit orchestras in theatres in both cities. His wife, Mrs. Augusta M., and a son and four daughters of a previous marriage survive.

Anne Schneider, 68, reputed to have been one of the original "Florodora" sextet, died in Los Angeles Jan. 30 of a heart attack. Interment in Los Angeles.

Clarence G. Pitkin, 36, bandmaster, died at his home in Marshall, Vt., Jan. 29, following a short illness. He is survived by his widow and three children.

John E. Roach, 59, died January 28 in Albany, N. Y. For many years he was a member of the orchestra

## Phone Gyps

(Continued from page 1)

scriptions, generally for \$10 each. A former Broadway name player, known to be on his uppers for several years, is used as being one of the phony, another well known actor is also mentioned but he denies having any connection with the group.

Later actor's name was also used without permission, fast action in a telephone coin raising collection racket which purported to aid indigent players. One of those charged with the phony scheme at that time was convicted and sent to the workhouse.

One of the gullible wealthy women who kicked in asked for literature about the proposed production, and was told the "group" couldn't afford to have the matter printed at this time.

## News of the Dailies

(Continued from page 61)

A son, 8, receives \$1,500 for the loss of his mother.  
Suit of Lyons & Lyons agency for \$12,000 against Betty Davis for asserted unpaid commissions, settled out of court.

Los Angeles dailies laid hard for a press agent stunt which has Garbo and Dietrich making faces at each other across cable tables.

W. V. DeLoach wins \$10,000 divorce on desertion charge.

Juanita Hansen initiates new diet against the traffic.

Nita Cavalier, actress, died \$20,400 heart balm suit against George Hagan, reputed millionaire sportsman.

Ann Harding to resume fight for custody of her son upon her return from a health cruise to China.

Claudette Colbert declared her trial separation from Norman Foster.

Virginia Reid, film actress, announces engagement to Dr. Ralph McClung of Birmingham, Ala.

Sister of "Rooney" Arbuckle asked to be relieved as administratrix of estate, claiming there's nothing left.

Elsa Peterson, actress, fined \$25 and given five-day suspended jail sentence for kicking a deputy.

Lonnie O'Shea, film director, acquitted in L. A. of intoxication charge.

Hollywood police hold Solon V. Henkle, brother of Agnes Vaux, as a psychiatric case, after she threatened on the life of C. B. De Mille.

Counter suit filed in L. A. by Thomas Lee against the estate of Mrs. Geraldine May Lee for a widow's allowance of \$2,500 a month pending settlement of her \$100,000 estate.

Don Lee, late radio chain owner. Several studios experimenting with invention of "Starvation."

Pauline Bell, former film director, which would show how a picture would appear on the screen without sound.

Custody of the twin children of George Hearst, son of the publisher, granted in L. A. to his ex-wife, Mrs. Blanche Wilbur Hill.

Ernst Lubitsch preparing himself for full-American citizenship on Feb. 8.

He advised that the Nazi government had cancelled his rights as a German citizen.

Francis Lederer threatens to carry his sentence of five days in jail for speeding to the U. S. Supreme Court if verdict of a Vissalia court is upheld.

Dean Borland, musician, divorced in L. A. and ordered to support 13-month-old infant, whose paternity he denied.

Bandit who attempted hold up of Merle Armitage, manager of L. A. Philharmonic auditorium, ran into an empty till, a lot of conversation and fled.

Group of \$55,500 sought by Mrs. Hattie Goetten, mother of June Marlowe, for allegedly consuming small quantities of drugs in food served in an L. A. drug store, were denied.

Beverly Hills city council okayed Sunday dancing.

## Well Acquainted

Albany, Feb. 4.  
Peter Ganevoort Ten Eyck, 47, will be appointed State Commissioner of Agriculture and Markets by Governor Lehman is well acquainted with fair and fair problems. Is a former president of the Albany Agricultural and Exposition Society, which stages a big fair at Altamont, and is the owner of a large herd of prize Guernsey cows which he exhibits at various fairs.

In the Empire theatre at Glens Falls.

Valerian Svetloff, 72, Russian dance critic died Jan. 22 at the American Hospital, Paris. Was well known in Paris show and literary worlds.

## Halifax Fair Out

St. John, N. B., Feb. 4.  
The Halifax, N. S. fair, one of the oldest and largest fairs in Canada, and housed in a plant established in 1927, after the original plant was destroyed in the big Halifax explosion of 1917, may be abandoned. At the recent annual meeting of the Nova Scotia Exhibition Commission, official sponsors of the fair, as representatives, joint-ly of the provincial government of Nova Scotia and city of Halifax, warfare developed over the report. The 1934 deficit was \$29,000, biggest deficit ever reported from a Canadian fair.

## HERK-JAFFE'S SAPOLIO TRY

George Jaffe and I. H. Herk opened the Galety on Broadway Friday (1) with a new departure for burlesque—a clean show. If click-click, the policy sticks.

Troupe contains 15 principals and 16 chorus girls. Paul Marakoff is producing.

While the new city regulations limit strip specialties to three per show, Jaffe and Herk are going the rules one better by holding down the number of peels to two. Experiment is in the nature of a gamble, and the first real-clean-up attempt in burlesque that New York has seen.

## PROV. MODERN GOING FROM BURLEY TO ART

Providence, Feb. 4.  
The management of the Modern theatre has given up burlesque as a paying proposition after many months of tough going, and has decided to go in for the high arts. Within a few weeks the old burlesque, which has been dark for two weeks, will be reopened as an outlet for foreign named films. House is being wired for sound, and booking arrangements are now underway.

Management proposes to operate the theatre on a two-a-day plan, all rush seats selling under 50 cents. This makes about the sixth or seventh change in policy since the house was opened as a first run picture house about 20 years ago.

Everything but rolling skating has been tried at the stand. But change has been in and out at least four times. Couple of times Modern was used as legit house also; just now house is used every Monday night for amateur boxing.

## REFORM IN BALTO.

Cleaned Up Shows Now Playing to 30% Women

Baltimore, Feb. 4.  
Gradual evolution in type of audiences attending burlesque apparent here at the Palace (Supreme Wheel). Women, for the first time in years, are commencing to attend. Of late, night performances are playing to crowds composed of more than 30% females; afternoons are finding a smaller percentage in attendance. Reason for the sex's sudden interest in burlesque at the Palace is ascribed to a fact bawdy bits and stripping have been eliminated by police order.

Larger spreads of advertising and more respectability in tone are what the Palace is feeding the newspapers. The News-Post has even taken to sending up a staff man once weekly to interview the leading light of each rotation show, and more often than not it is the comic who gets the write-up; fact that should cheer burlesque comedians with the realization that they are not completely forgotten.

Another new twist given burlesque here is the recent removal of all lobby and front art showing gals undressed. Since women have shown inclination to attend the house has commenced to display just heads of the phonies.

## HINES IN N. Y.

Earl Hines, Chicago band leader, makes his first N. Y. appearance on Feb. 8 at the Palace. Kathryn Perry is vocalist with the band, which has been playing at the Grand Terrace Cafe in Chicago.

Harry Squires is replacing Hines' tour.

## FAIR AN ANNEX IN TEXAS IN 36

Dallas, Feb. 4.  
Officials expect to complete plans for 1936 Texas Centennial exposition within a few weeks. Scheme called for centennial exposition at Dallas, with numerous pavilions all over Texas during state's hundredth birthday anniversary.

Dallas park board has \$3,000,000 played bonds ready to release when Texas Centennial Central Exposition, Inc. floats a \$2,000,000 issue plus state and federal aid. State Fair of Texas plant to be enlarged for the exposition.

Managing director is Walter D. Cline at rumored \$25,000 salary; assistant director, Otto Herold, at \$10,000; comptroller, Chas. E. Turner, Dallas mayor, at \$15,000.

Concessionaires and exhibitors will get word as soon as exposition's master plan is completed in a few days. An athletic committee is empowered to sign up for all inter-sectional games, one for each Texas school of Southwest football conference, in Dallas for fall of 1936. Officials expect to spend about \$100,000 on buildings and grounds here.

## Gamble with L. A. Agency, Booking Japanese Expo.

Hollywood, Feb. 4.  
Eddie Gamble, for the past five years outdoor booker for the Los Angeles office, has been at Bernard & Melkijohn to handle the company's outdoor department. He fills the spot of Charles Hatch, who died last week.

Office is booking the attractions for the Yokohama Exposition. A complete roster, several freak acts and 20 midge racing, auto races and their drivers' leave here for Japan Feb. 19.

## NEB. MAKES DEADLINE

No Circus or Carneys to Clip Fair Tapes

Lincoln, Feb. 4.  
Two bills came up before the Nebraska legislature last week which will affect outdoor shows here. One, pertaining to carnivals, says under penalty of \$1,000 fine for violation, no carnies can show in a county or state fair town within 18 days of the fair in that locality. This bill was brought out because of circus practices in this area of hitting just outside of various expositions and gobbling up the available amusement money. "Lately, the menace has been carnies which took lessons from the Tiger men and quit which have abandoned the practice."

Second bill would throw out the existing board of agriculture which rules over the State Fair and take the power of appointment to fill the position on the board to the governor instead of by vote of the board.

## Shrimers Circus Red

Canton, O., Feb. 4.  
Second indoor circus effort of the Canton Shrimo at the city auditorium here proved more profitable than the initial try a year ago.

But despite big jump in business after all, the show did not get off the nut.

## SAM DILL DIES

Los Angeles, Feb. 4.  
Funeral services were held in Los Angeles on Feb. 4 for Sam Dill, who died Feb. 1 with a complication of diseases. The body was sent to Bloomington, Ind. for interment.

Some three months ago Dill sold his interest in the Dill-Mix show to Mix. Extensive plans have been made for a greatly enlarged show this season.

## LETTERS

When Sending for Mail to VARIETY Address Mail Clerk, 100 N. 10th St., Philadelphia, Pa. CIRCULAR LETTERS WILL NOT BE ADVERTISED. IF YOU WISH TO BE ADVERTISED IN ONE ISSUE ONLY.

Arden Ruth  
"Harry Joe"  
"Harry Joe"  
Pester Victor

KURT A. ROBERTSON  
Lorneagan Lester  
Marlow Brian

# RCA VICTOR

announces

# RICHARD HIMBER

AND HIS

# STUDEBAKER CHAMPIONS

New York World-Telegram

SATURDAY, FEBRUARY 2, 1935

RADIO FAVORITES OF 1934  
REVEALED IN WORLD-  
TELEGRAM'S POLL

BY ALTON COOK  
RADIO EDITOR, WORLD-TELEGRAM

(SIXTH IN THE WORLD-TELEGRAM POLL)

ARE EXCLUSIVE

## VICTOR RECORDING ARTISTS

Also Repeating on

RCA VICTOR'S  
RADIO CITY  
MATINEE • WJZ  
Wednesday  
February 6th  
Coast-to-Coast

Courtesy of

Studebaker Sales Corporation

Reprinted From New York World-Telegram Monday, February 4, 1935

Of the first seven bands in the standings only two of them were able to get there without the aid of other stars. Lombardo and Burns and Allen; Whiteman and Waring always make their orchestras center of a lively variety show; the Casa Loma orchestra has shared programs with Stoopnagle and Budd, Annetta Hanshaw and Walter O'Keefe; Eddie Duchin is currently appearing with Ed Wynn.

The exceptions are Wayne King and RICHARD HIMBER.



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RADIO FAVORITES OF 1934  
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**Instrumental Soloists.**

None of the editors participating the poll preferred not to vote for instrumental artists, considering at too few of them are regularly featured on the air waves. The soloists in this class are somewhat smaller than for the other groups.

**The vote:**

1. Short Richter	11
2. Narda Martin	10
3. Harnett	9

**The vote for dance band follows:**

1. GUY LOMBARDO	11
2. WAYNE KING	10
3. FRED WARING	9
4. CASA LOMA	8
5. PAUL WHITEMAN	7
6. RICHARD HIMBER	6
7. EDDIE DUCHIN	5
8. JAN GARBER	4
9. GEORGE OLSEN	3
10. TED FIORITO	2
11. ISHAM JONES	1
12-13. BEN BERNIE and HAL KEMP	0
14. JACK DENNY	0
15. OZZIE NELSON	0

**Helen Jepson, Metropolitan as well as radio star, is voted an outstanding new personality.**

**Serious Musicians.**

Among the more serious musicians David Raskin, Albert Raskin, Lawrence Tibbett repeated their places of last year. Details of vote for leading symphonic concert follow:

Joseph Sukowski	10
David Raskin	9
Albert Raskin	8
Lawrence Tibbett	7
John G. Grier	6
Paul G. Grier	5
John G. Grier	4
Paul G. Grier	3
John G. Grier	2
Paul G. Grier	1

**Waring Wins Again.**

The editors present an odd assortment of favorite musical programs. Waring's Pennsylvania again wins by a large margin. For the other places there is an interesting competition between symphonic, operatic, light classical and light opera groups.

**The vote for musical programs follows:**

1. Waring	10
2. Grier	9
3. Tibbett	8
4. Raskin	7
5. Sukowski	6
6. Grier	5
7. Tibbett	4
8. Raskin	3
9. Sukowski	2
10. Grier	1

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8. JAN GARBER	4
9. GEORGE OLSEN	3
10. TED FIORITO	2
11. ISHAM JONES	1
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80 PAGES

## RADIO AS OPERA'S GRAVY

### CHASING RADIO AMBULANCE CHASERS

St. Paul, Feb. 11.

John M. Sherman, northwest inspector for the Federal Communications Commission, Thursday (8) announced open war against 'ambulance chasers' of all types who use radio police calls to pick up possible clients.

In issuing his warning against interception of police radio broadcasts for private use, Sherman announced that such offense is punishable by two years' imprisonment or a fine, or both.

A large number of garages in this area keep their receiving sets tuned to police calls and when accident calls are broadcast, they hustle out the old towing car in the hope of landing a major repair job.

Sherman declared that from now on, when tow cars, insurance adjusters or lawyers appear on the scene of an accident, they will be held there while officers are sent to their offices to find out if a radio set is tuned in on police calls.

### Pantomime Plays For Moscow Deaf Mutes; Own House

Moscow, Jan. 20.

Moscow is the only city in the world which possesses a theatre where, while playing the greatest classical and modern plays, the artists don't utter a single word.

Theatre is the playhouse of the deaf mutes. Their whole art consists of clear and expressive mimicry and gesture. They play comedy or drama, all in pantomime.

When the curtain rises the audience doesn't hear the artists and is allowed to continue conversation and criticize the play, which does not interfere with the players. Artists continue to act without taking any notice of the audience.

### Twirler Turns Tenor

Philadelphia, Feb. 11.

WCAU has its first singing baseball player in young Joe Cascarella, twirler of Connie Mack's Athletics, who began a warbling series last week for a build-up. Either has a set of high tenor pipes.

Cascarella, signed by the studio's artist bureau, leaves this week for the Florida training season, but will resume aircasting when the A's return.

### LIQUOR INHALERS

Several cigar and cigarette manufacturers are experimenting with the idea of sticking wine or rum into their smokers.

### Radio Salaries

(One Performance)

Lawrence Tibbett.....	\$4,000
Lily Pons.....	4,000
Rosa Ponselle.....	3,500
Challapin.....	3,500
Grace Moore.....	3,500
Geraldine Farrar.....	3,000
Lucresia Bori.....	3,000
Lotte Lehman.....	2,500
Richard Crook.....	2,000
Gladys Swarthout.....	1,500
Nino Martin.....	1,500
Richard Bonnell.....	1,500
John McCormack.....	1,500
Schumann-Heink.....	1,000
Queena Mario.....	1,000
Helen Jepson.....	1,000
Rose Hampton.....	750
Carmela Ponselle.....	750

### Relief Commish Starts Radio School in Chi

Chicago, Feb. 11.

First instance of the government stepping into the radio education picture will take place here within two weeks, when the Emergency Educational Project division of the Illinois relief Commission will set up instructors and school to teach all phases of radio entertainment to all who would come and learn. This follows the lead of the EEP in establishing schools throughout the city to teach dramatic art gratis.

First radio governmental school will be headed by Earl Bronson, former vaudevillian.

### CINCY'S COMBO SUDS, WRASSLIN' EMPORIUM

Cincinnati, Feb. 11.

Unique in Cincinnati and possibly in the United States is Frank Rappold's corner store, combination wrestling arcade and beer parlor. Admission to the premises costs a 10¢ 'donation' for the wrestling. Capacity is about 200 persons with standees. Collapsible chairs and a few benches surround the canvas ring. Among the patrons are some women from the neighborhood who sip suds from mugs and shout now and then some encouraging instruction such as 'break his neck' to the sons of toil panting on the canvas.

Wrestlers are hired by the hour at NRA wages. Gross for an evening's work is reported about \$1.75 per contestant with perhaps three bouts an evening. Boys are more than wrestlers. They're also actors. Only thing missing from their grunting and squirming impersonation of athletic strain is perspiration.

### COMMERCIALS SQUARE CUTS

Singers Look to Radio to Provide Coin Scale Now. Lacking from Opera Itself—Met's New Liberalism May Also Lead to Candidates Trying to Reach the Opera House Via Radio

### JEPSON SIGNIFICANCE

Sauces for operatic singers is still being provided by radio. Metropolitan Opera, New York, isn't much more than a swell address for most of the divas and baritones who must look to tobacco products, mouthwashes, and gas buggies of America for the reward of big league vocal recognition.

Opera has survived the depression at the cost of rigid economies, a shortened season, and a change of time-honored customs. It's still the glory road and even the most mercenary do not scorn the prestige of a connection. But for big coin the opera brigade must look to radio and not to opera. Radio also has the edge over the concert platform where guarantees and playdates are both on the shrinking side.

From the present outlook it appears that the Met board may have to unbend a bit on next season's policies. Heretofore the Met has held the controlling hand in the matter of its stars accepting outside contracts. But since the comparison of money returns is so uneven, radio seems bound to get the upper hand. Singers realize the Met has plenty of troubles and have consented to cuts because the opera background makes possible the radio figures. In the case of Grace Moore and Lawrence Tibbett, income are also in evidence.

(Continued on page 70)

### 'VARIETY' OUT WEDNESDAYS

VARIETY will revert to its former publication day, Wednesday, starting with next week's issue as of Feb. 20.

In areas 24 hours or more away from New York, VARIETY in future should be on sale weekly one day later than formerly.

Closing press time is now 4 p.m. Tuesdays.

### Operations as Giveaway Prizes, Offer of Coast Hospital Benefit

#### Chance to Get Hunk

Actors will have a chance to get even Sunday (24) when four of the leading New York drama critics are going to act out a one-act play. Set for the piece are Gilbert Gabriel, John Anderson, John Mason Brown and Robert Garland. Occasion is the 'Post-Depression Galettes,' revue being lined up by Marc Connelly for benefit of the Stage Relief and Actors' Fund.

Hollywood, Feb. 11.

Weather alone is not the only unusual thing in California. Unusual are the door prizes to be given by the Torrance Memorial Hospital benefit being staged Feb. 22 at the Hermosa Surf and Sand Club.

First prize offered gives the lucky winner a complete appendicitis operation. Second is an obstetrical case, including the layette. Third is a tonsil and adenoid removal. Winners can choose their own doctor.

Benefit was originally planned to take place at the Torrance theatre, but hospital backed out when the theatre demanded a \$10,000 in the form of staging one of the operations on the stage, with the hospital picking the operation.

Considerable consternation is afoot in Torrance, a community of 1,200 on the edge of L.A., over the second prize, which might cause considerable embarrassment to the winner.

Hospital has tried other methods of raising funds during the past year, but feels that the combined opportunity to get a good operation gratis plus the advantage of good music, good eats and entertainment should mean something these days.

### F.D.R. Sees His 2d Legit Show Since Elected

Washington, Feb. 11.

'Dodswoth' drew President Roosevelt to the theatre for the second time since he entered the White House. Chief executive attended Saturday night's show (9), not letting theatre know until four hours before arrival.

House was practically sell-out and Steve Cochran, manager, had fits trying to find enough seats for score of secret service men. President sat in a box and entered theatre from a side alley.

Only other show to draw F.D.R. since he became President was 'When Ladies Meet,' which played here during the first week of his Presidency.

### MAX AND BUDDY BAER'S \$5,000 A WK. PERSONALS

Paris, Feb. 11.

Gino Arbitt, local agent, has signed Max and Buddy Baer for a series of personal appearances in Europe. Starts with a three-week date at the Alhambra, London, the two Baers drawing \$5,000 a week.

Arbitt is trying to get a local theatre to pay a like sum, but if he can't he will produce a special vaude show with the Baers as headliners on a percentage basis. Jeff Dickson, local spots promoter, is understood interested in that idea, and spot is likely to be the Palais des Sports.

First Bluebird

Dayton, O., Feb. 11.

Signs of spring appeared this week when advance men for the new Hagenbeck-Wallace-4-Law-Sells Bros. circus came to town and announced that his show would play Dayton May 24.

### Prep School Lads Think They're Funny; Bring In Classmates as Clacque

Lancaster, Pa., Feb. 11.

Radio stooges grow early and are picked pretty ripe in these parts. Witness Honeyuckle and Tom, newest and youngest blackface skit on WGAL here. They are Franklin and Marshall Academy students, aged 15 and 16. They made up their minds that radio was calling them and then began haunting the studio.

Finally program director Earnie Stanzola slipped the boys into a blank spot and left them to their fate. When it was all over the staff shook their assorted heads.

'Pretty flat, fellows,' was the verdict. 'Your script may be all right but no one knows when to laugh.'

'Well fix that,' the boys promised. Following week they showed up in the studio with eight stooges—Academy class mates. At a given signal the stooges all laugh, whether the joke is funny or not.

### WIRING FAMOUS THEATRE

San Antonio, Feb. 11.

One of the most famous theatres in this area will go sound soon. Teatro de la Reforma, in Matamoros, across the Rio Grande from Brownsville, Tex., is due to be wired. Bonhardt and other dramatic stars played there.



## Francois Pierre Ginsberg, Stylist, Makes His Own Best Dressed Awards

Not to be outdone by recent selections of the Best Dressed Women (stage and screen), Francois Pierre Ginsberg, Vaudeville's male fashion expert, has named his own candidates for Best Dressed Men honors:

Mons. Ginz's list:

**Screen**  
Best dressed baby-scarer, Boris Karloff  
Best dressed Bengal Lancer, Gary Cooper  
Best dressed juggler, Bill Fields  
Best dressed Pancho Villa, Wallace Beery  
Best dressed John Barrymore, Warren Williams  
Best dressed house detective, Bill Frawley  
Best dressed man's man, Jack Holt  
Best dressed lady-killer, James Cagney  
Best dressed man (all around), Jimmy Durante

**Stage**  
Best dressed tight pants wearer, Nicholas Duke  
Best dressed bathroom dancer, Ben Blue  
Best dressed pianist, Herb Williams  
Best dressed Mahatma Gandhi, Clifton Webb  
Best dressed knee-dropper, Dave Apollon  
Best dressed adagio dancers, Wyn and Joe Mandel  
Best dressed stunts, Tommy Mack  
Best dressed frolicks, Abe Reynolds  
Best dressed maestro, Charlie Ahearn  
Best dressed man (all around), Jimmy Savo

Mons. Ginz explains that his method of selecting his winners is based on a point system. But that involves too much counting, he says, so he just picked the above 20 names out of a hat. But a hat moderne of classic mould. Unlike their Hollywood sisters, Ginz's screen boys are no male Trilbys—under-the-clothes-making spell of a Svengali-like Adrian. Ginz's film selections are strictly on their own, so far as dressing goes and have only themselves to blame.

Paradoxically, Ginz's stage best dressed nominees lack the individuality that distinguishes their Hollywood sartorial rivals. For, alas, they are subservient to a Svengali. The stage boys all get their duds at Gutzengberg's. Many have tried to escape, to switch to Moe Levy, but none has succeeded. The only way to break the Gutzengberg spell is to spilt borrel all over the vest or fall to return the suit. But if they did that to Gutzengberg, Moe Levy wouldn't have 'em.

**Break for Cooper**  
Gary Cooper is selected as Best Dressed Bengal Lancer over Francis Tane because Cooper is killed at the end of the picture, while Tane lives on, and Ginz thinks Cooper is entitled to at least one break. Like most picture actors, (Continued on page 67)

## Bernie to Play Social Topper to Turf Classic

Beverly Hills, Feb. 11. Third Mayfair dinner dance of the season at the Beverly Wilshire will have Ben Bernie's band and Sid Grauman in charge of entertainment. Ernst Lubitch will supervise the cuisine.

Shindy will be social toppler to \$100,000 handicap at Santa Anita Feb. 23.

**Lastgolf Buttons Up**  
Coast Biz, Trains East

Hollywood, Feb. 11. Concluding 12-week season here, Abe Lastgolf trained east Friday (8). He returns in April. William Morris agency's g.m. will divide his time between the two coast offices.

## Colbert's Col. Pic

Hollywood, Feb. 11. Claudette Colbert, after next outside picture—Paramount, will probably get 'If You Could Only Cook,' the F. Hugh Herbert story being adapted at Columbia by Gertrude Purcell.

This also will be the first Columbia directorial assignment for Al Santell.

## Rio, Ho!

Hollywood, Feb. 11. Recently the Soviet Government offered 40% rebate on expenses for film players going to its film exposition. Brazilian government goes Soviet 60% better.

Offer has been made for full expenses for two or three names that will go from here to make personal appearances at the Rio de Janeiro carnival March 1-5. So far no takers.

## MAE WEST'S FOREIGN PERSONALS, MAYBE

Mae West may interrupt her picture-making for Paramount after her next for an indeterminate period to go to England for stage appearances, possibly in a musical revue. Par Ideas in New York is that personals abroad would strengthen her further on her return.

Among other things pointed to is the fact that numerous American have been received in England and on the Continent with unusually warm welcomes, notable among these being Sophie Tucker, who originally went over for a brief series of stage and night club dates but stuck a long spell.

When it had Maurice Chevalier and he was on top as a Par star, the company favored the idea of concert engagements in this country and personals as well as on the other side.

## Vienna Actress Teamed With Aherne in 'Waltzer'

Hollywood, Feb. 11. Tentatively set as the leads in the Johann Strauss are Brian Aherne and Novatna, latter a Vienna star optioned by the studio. Screen play is by Joe Mankiewicz. Picture is slated for April production.

Margaret Wellman, also from Vienna, will stage the dances for the picture.

## WRONG YEN

Fed-Agents Crack Down On Metro For Faking Chinese Money

Hollywood, Feb. 11. Metro found itself in the same category as counterfeiters when Federal authorities landed at the studio and confiscated a bunch of Chinese bank notes studio produced for 'China Pass'.

Studio unaware of an international agreement between this country and China to prevent the production of spurious money, had fashioned the bills to fit into a sequence in the picture. Federal authorities advised the studio to make new bills along the same line as phony American bills for stage use.

## Par Tests Pre-Met Diva

Paramount last week tested Mary Moore, new Metropolitan opera diva, and is understood following up by talking terms with her. Nothing set yet.

Miss Moore was to have made her Met debut last Thursday (?) in 'Gilda' but a bad attack of laryngitis at the last minute substituted Lily Pons in the role.

## ROSEBER HOSPITALIZED

Hollywood, Feb. 11. Charles Roseber, head cameraman on 'Call of the Wild,' 20th Century on location, Baker, Wash., was rushed to the hospital at Bellingham, Wash., Saturday (8), suffering from heart trouble. High altitude got him. Other cameramen on the location cleaned up the job.

'Wild' company is now back from location at Mt. Baker, with little to show for weeks in the snow country. Most of the exteriors will be reshot in the hills back of Hollywood.



## WILL MAHONEY

The Brighton Evening Argus said: Will Mahoney got on good terms with Brighton people on his first visit to the town yesterday evening. The noted American comedian, had the Hippodrome audience in roars with his funning and frolicking. He can dance, he makes on singing, and he gets the most amazing musical results by dancing on a huge xylophone.

Direction  
WM. MORRIS AGENCY  
Mayfair Theatre Building  
New York City

## H'WOOD 10%ERS' LEGAL QUI VIVE

Hollywood, Feb. 11.

Agents handling picture talent have joined in the common cause of protecting their business against adverse legislation. With many bills introduced to the legislature now pending before the legislature, the 10%ers have mobilized shock troops to lobby and otherwise resist the efforts of lawmakers to crimp their earnings.

While details of the more ominous bills have not been divulged, the portent is sufficiently sinister to put the agency lads on their guard.

Measure that called for fright wigs is the so-called Assembly Bill, No. 1890, to be initiated by Assemblyman Flint, who made the grade on the 'Epic' ticket.

Bill calls for a board of three, one a woman, with arbitrary control over the regulation of agencies. Disputes would be arbitrated by the triumvirate, the loser paying each member \$25 a day during the sitting. Proposed regulation also includes a new contract form between agents and talent.

## BROWN DRAWS GARBO IN 'KARENINA' AS NEXT MG

Hollywood, Feb. 11.

Raoul Walsh, now directing 'Public Enemy No. 2' at Metro, stays on there to pilot 'Man of the World,' from a story by John Farrow.

Another directorial assignment has Clarence Brown spotted for the Greta Garbo picture, 'Anna Karenina.'

## Par Renews Brisson

Hollywood, Feb. 11.

Paramount gave Carl Brisson a new contract for three pictures within a year, with an option for three more.

'All the King's Horses' wound up the previous pact.

## That Gable-Colbert Complex

## Studio Scribes Regard Team as Ideal Leads and Pattern Everything on Them

Hollywood, Feb. 11. Almost all writers at major studios write for Clark Gable. No matter what studio they are at, or who may be the leading man assigned to the story they are working on, Gable is the writers' idea. Scribes claim he's the easiest actor in pictures to write for but it's tough on the studios, execs and

## FAMOUS FIRST NIGHTS

The following descriptions of memorable theatrical premieres to a compilation of stage, screen, concert or club openings which, for some or other circumstances, stand out in show business. They will be recorded without thought to chronological order. The reasons for the distinction of each premiere range anywhere from some historical significance, in connection with the debut of an artist, novelty show venture, play or company, to some other attendant excitement backstage, some colorful occurrence out front, or merely because of the gals circumstances. This is to be a continued series.

## 'Rain'

(Maxine Elliott, N. Y., Nov. 7, 1922)

'Rain' more or less gushed into the Maxine Elliott, but over night became a smash. Jeanne Eagels' 'Sadie Thompson,' the darling of Robert Kelly's 'Rev. Davidson,' and Robert Elliott's 'Brusque 'Sgt. O'Hara' became theatrical history with the morning papers.

John Colton and Clemence Randolph dramatized W. Somerset Maugham's story, 'Miss Thompson.' Sam Harris seeing in it a natural for his star, Miss Eagels. Tonight (Tuesday) the same producer again presents this play with Tallulah Bankhead heading the cast.

## Vitaphone's Debut

(Warner, N. Y., Aug. 6, 1926)

Among vital dates in show business history, Aug. 6, 1926, stands out as one of the most notable of all. It marked the beginning of the end of the silent picture and the beginning of talkers. No other single event has had more effect on future trends of the amusement industry.

Warner Brothers introduced Vitaphone at the Warner theatre on Broadway, set the whole town talking and the whole show business wondering. Advance curiosity permitted an opening night seat charge of \$10, and post-premiere comment was such that the house immediately went on a regular \$25 policy, unheard of for a picture, and specs were charging \$5 per chair and getting it.

WB's silent 'Don Juan' (John Barrymore) was the feature picture, but was strictly secondary to the sound one-reelers preceding it. These shorts included a speech by Will Hays, overture by the New York Philharmonic orchestra, Mischa Elman, Roy Smeek, Marion Talley, Harold Bauer, Efrim Zimbalist, Anna Case and the Metropolitan chorus with the Caninos, and Gwyneth Paltrow singing 'Faggioli.' Latter reel was the sensation of the program.

Comment mixed amazement with enthusiasm. VARIETY's report of the opening said, in part: 'Audience was quick to grasp the fact that they were present at what might be the premiere of a new era in the show business.' And in response to Martiniell's song-on-film, the house veritably rose to its feet and cheered him.

## Animated Cartoon Prod. Is Now The Big Coin for Sketch Artists

Hollywood, Feb. 11.

No longer do American youths, who save their pennies for a correspondence course in cartooning, aspire to become newspaper strip artists or India ink commentators on current affairs. Their ambitions now are to be in with one of the cartoon comedy outfits where salaries are several times that paid by newspapers.

Aspirants for jobs in the various cartoon producing studios are as plentiful as comic winners trying to crash Hollywood's gates. They come here with their correspondence school shespeaking and samples of their work, neither very artistic, but the embryo artists are filled to the brim with hope.

Salaries for animators in pictures are way up. Walt Disney has animators on his staff who draw up to \$300 weekly. Walter Lantz at Universal, Harmon-Lafayette at Schlesinger, 'Charlier' Mintz, Paul Terry and others have artists who receive up to \$250 weekly. Lowest salary for an animator is around \$175 weekly. That's about average for a newspaper drawing board artist.

Top salary goes to the animator, who draws the master figures, perhaps one out of every six figures. Lad who fills in the middle figures is lower in salary and lowest paid man is the chap who draws figures in between the other two, necessitating little change in action or position of the subject being drawn. Though it would seem that draughtsmanship is the most essential requirement in making cartoons, it is not. Most important is

the ability to get feeling into the drawing. If the feeling is there and the drawing poor, a good artist can take the rough spots out. No matter how good the artist, if he's short on feeling, i. e., acting ability with a pencil, he is less valuable to his employers.

Kids who feel that they have the knack to become animators usually start as tracers, tracing the original drawing onto translucent at \$20 a week. From there they work up, or as, as the degree of ability might be.

Background artists are in a different category. They have nothing to do with animation, draw only the backgrounds. Their salaries run around \$150 weekly. They are usually better artists than the animators but lack imagination.

Only one femme has made good as an animator. Leverage Harding at Universal. An art student and later a teacher of art, she joined Lantz's outfit and made good. Usually women are too artistic to become animators. However, they are often keen producers of backgrounds.

In Hollywood about 300 artists work on animated cartoons. About a third of them have come from newspapers. Roughly the same as from correspondence schools, a few from art schools. All studios making cartoon subjects maintain their own school to wise up the youngsters on what is necessary for animation.

## Costly Marx Scripters

Hollywood, Feb. 11. George S. Kaufman's deal on Marx Bros. pictures is from three to five weeks at \$5,000 a week.

Mortie Ryskind is to get \$10,000 a week on the same yarn.

## SAILINGS

March 23 (New York to Paris) Gary Leon, Tut Mace, Jeffrey Bernard (ile de France).

Feb. 9 (New York to London), Margaret Sullivan, William Wiler, Gilbert Miller, Mrs. Robert E. Sherwood, Margaret Chase, W. E. Beatty, Mort Taperoux, Mann Robinson and Martin, Ralph Olsen and Alma Louise (ile de France).

Feb. 9 (New York to Los Angeles) Helen Broderick (Virginia).

# WHEN FILMS P. R. SHOWS

## Hollywood Bunch Has Winners All Gussed for Academy's Awards

Hollywood, Feb. 11. As to the annual Academy awards for 'best' of 1934, now that the list of final candidates have been released, local guessing by the film bunch includes a consensus that 'One Night of Love' is a cinch to get the best picture palm for the season; Grace Moore for best work by an actress, 'One Night of Love'; Arthur Caesar for best original story, 'Manhattan Melodrama'; Frances Goodrich and Albert Hackett for best adaptation, 'The Thin Man'; and Con Conrad and Herb Magidson for best song used in a film, 'Continental'.

There is also much pondering of what happened to Bette Davis for her performance in 'Of Human Bondage'.

The nominations, from which one will be picked in each class, follow:

**Best Production**  
'Barretts of Wimpole Street,' Metro.

**'Cleopatra,'** Par.  
'Flirtation Walk,' First National.  
'Gay Divorcee,' Radio.  
'Here Comes the Navy,' Warners.  
'House of Rothschild,' 20th Century.

**'Imitation of Life,'** Universal.  
'It Happened One Night,' Columbia.

**'One Night of Love,'** Col.  
'The Thin Man,' Metro.  
'Viva Villa,' Metro.

**'The White Parade,'** Fox.  
**Best Work by Actor**  
Clark Gable in 'It Happened One Night.'

**Frank Morgan, 'Affairs of Cellini,'**  
**William Powell, 'Thin Man.'**  
**Best Work by Actress**

Claudette Colbert, 'It Happened One Night.'

**Grace Moore, 'One Night of Love,'**  
**Norma Shearer, 'Barretts of Wimpole Street.'**

**Best Direction**  
**Frank Capra, 'It Happened One Night.'**

**Victor Schertzinger, 'One Night of Love.'**  
**W. S. Van Dyke, 'Thin Man.'**

**Best Original Writing**  
**Norman Krasna, 'Richest Girl in the World,'** Radio.

**Arthur Caesar, 'Manhattan Melodrama,'** Metro.

**Mauri Grashin for idea of 'Hide Out,'** Metro.

**Best Adaptation Writing**  
**Robert Riskin, 'It Happened One Night.'**

**Frances Goodrich and Albert Hackett, 'Thin Man.'**

**Ben Hecht, 'Viva Villa,'** Metro.

**Best Short, 'Holiday Land,'** Col.; 'Jolly Little Elves,' Universal, and 'Tortoise and the Hare,' Disney.

**Best comedy, 'La Cucaracha,'** Pioneer; 'Men in Black,' Col.; 'What No Men?' Vitaphone.

**Best novelty, 'Bosom Friends,'** Skibo-Educational; 'City of Wax,' Stacy and Horace Woodard-Educ; 'Strikes and Spares,' Metro.

**Best Work by Assistant Director**  
**Scott Beal, 'Imitation of Life.'**

**Arthur Rosson and John Waters, 'Viva Villa.'**

**Cullen Tate, 'Cleopatra,'** Par.

**Best Song in Films**  
'Carolina,' lyrics by Vincent Youmans; lyrics by Edward Eliscu and Gus Kahn.

**'Continental,'** music by Con Conrad; lyrics by Herb Magidson.

**'Love in Bloom,'** music by Ralph Rainger; lyrics by Leo Robin.

**Best Scoring of Film**  
'One Night of Love,' Col.

**'Lost Patrol,'** Radio.  
'Gay Divorcee,' Radio.

**Technicians**  
Nominations by the Technicians' branch for the best film editing of the year goes to 'Cleopatra,' Par; 'Eskimo,' Metro, and 'One Night of Love,' Col. Other technical nominations will be made later in the week.

### U Waivers Pryor

Hollywood, Feb. 11. Universal has farmed out Roger Pryor to Warners for the lead in 'Dinky.'

### Boomerang

Mordaunt Hall, former N. Y. Times critic who used to remain picture people that no one 'came ahead of the Times,' now doing film gossip and reviews on the air, went to the Astoria, L. I. studio to interview Noel Coward, doing a picture for Ben Hecht and Charles MacArthur.

Frank Nugent, second assistant to Hall when the latter was on the Times, had been waiting all day to see Coward, with result that when Coward was free, C. N. O'Dell, p. a., started to usher Nugent in. Hall stepped up, stating he was there to see Coward. O'Dell, knowing Nugent was there first, simply reminded: 'You always said the Times comes first, Mr. Hall.'

## GARY COOPER EAST, PERSONALS ARE OUT

Hollywood, Feb. 11.

Gary Cooper and his wife left here by train for New York Tuesday (5) for a five weeks' vacation. Cooper turned down personals at the New York and Brooklyn Paramounts.

Returning, he goes into 'One Woman' with 'Claudette' Colbert. Picture will probably be directed by Lewis Milestone.

## \$150 Danseuse Returns To N. Y. Par at \$1,000

Margo, the dancer, who played the New York Paramount on a personal with George East a year ago at \$150 a week, returns to that stage Friday (15) for a week at \$1,000 flat. This is the salary her film contract calls for with Paramount, which cast her in 'Rumba,' scheduled also to play the N. Y. Par Friday (15).

Margo's first picture work was in 'Crime Without Passion' for Hecht and MacArthur.

### H'wood Flu List

Hollywood, Feb. 11.

Heavy inroads into production schedules have been made the past week by dat of debill flu.

Among those hit by flu were Richard Dix, Betty Grable, Glenda Faye, Henry Henington, Harry Ruby, Marcella Knapp, Manny Soff, Lew Ayres, June Brewster, Ralph Bellamy, Mrs. Mabel E. Kinney, Hal Roach, Mrs. Al Rockett and Lottie Pickford.

## Stanwyck-Fay Personals, Also Kit Carlisle, Margo

Barbara Stanwyck and Frank Fay as a team are coming east for stage dates late this month, opening Feb. 22 or March 1 in Chicago.

Time amounts to about four weeks in all, divided between RKO and Paramount. CHI date will be either at the Palace or the Chicago.

Kitty Carlisle, east on a leave of absence from Par, plays a personal at the Michigan, Detroit, week Feb. 15. Deal set by Lyons & Lyons.

### SWERLING'S VACASH O'ER

Jo Swerling, after a 10-week vacation in New York, leaves this week-end for a return to the Columbia studio. Mrs. Swerling is with him.

Scribner will stop off in New Orleans for a week prior to reporting to the studio.

## WB ANGLE ON ITS 2 B'WAY LEGITS

**WB-Financed Plays Doesn't Necessarily Mean That Warners Will Make the Film Versions Also—Gives 'Em an In Only on the Film Rights**

### CHARGES STIR B'WAY

Charge is being made, although not officially filed, that picture companies are buying off bidding for screen rights to plays backed by another film company's coin. If proven the Authors' League may be asked to take some sort of action. Situation is one of two current Broadway legits backed by Warners, 'Three Men on a Horse' and 'Fly Away Home.' Shows were produced respectively by Alex Yekel and Theron Bamberger and both of them last week expressed annoyance. Yekel became especially annoyed when a couple of New York dailies printed item to the effect that Warners had backed the show, writing letters to the newspapers to point out that Warners were merely financial backers who owned a piece of the rights and were involved no further than that. Situation is that, in both cases, Warners financed the shows 50%, retaining 50% of the producers' end of the film rights in each instance, meaning actually 25%, since according to the Minimum Basic Agreement producers and playwrights share equally in film rights after three weeks of production. Rights must then go on the open market and are sold to the highest bidder, if any. That means that Warners would have a 25% advantage in the purchase of film rights to any of their shows but not more than that.

Argument now being made, however, is that other films companies are not bidding for the plays, either through courtesy to Warners or because of the realization that Warners would have an advantage in the bidding, making other company bids more or less of a gesture.

Situation has never arisen before so that there is no precedent. Metro financed production of 'Grand Hotel,' taking the film rights, but that was a foreign play to which the same Minimum Basic rules do not apply. Same with 'Red Cat,' financed by Twentieth Century.

This season, 'She Loves Me Not' was financed by Paramount (Continued on page 22)

## Newshounds Swinging Over to Pic Studios Burns Editors; More Coin

### H'wood Mascot

Assistant directors who work in pictures in which Marilyn Knowlden is cast have reason to feel elated over the assignment. No less than seven of their number have been upped to full fledged pilots after the eight-year-old tot's films have been released. Those to whom the child has brought good luck are Jack Boland at Fox; Scott Beal and Phil Cahn at Universal; William McGann, Warners; Charles Barton, Paramount; and George Nichols, Radio. Charles Woolstenhulme moved up to production manager at Fox from an assistant directorship on a known picture. Child actress is now in 20th Century's 'Les Miserables,' her 20th picture.

Loud walls are being emitted by local newspapers over studio publicity departments copping their best reporters to work in the studios as publicity writers. Local sheets have long been famed for their low salaries, taking advantage of the fact that many people come west lured by the climate.

Outside of Denver, L. A. newshounds rate the country's lowest salaries. They get paid off in sunshine. High for a reporter on a local daily is about \$50 weekly, whereas good publicity writers are being paid from \$70 to \$125 doing press department routine writing.

Studio for some time have favored reporters in their publicity personnel, feeling that they know best what is acceptable to editors throughout the country. In the past year they have halved local reporters with the larger salaries and managed to wean them away from the local rags. Now the papers, in retaliation, are letting it be known that if any more local reporters pictures the studios may find their publicity blurbs getting rough treatment by the editors.

Herald-Express almost lost Sally Frank and Dan Malinward to Warners and had to give both by-line writers an increase equal to the Warner offer to keep them on the paper.

Jumps from papers to studios in the past few months include Al Parmenter and Ralph Euston from the Times-to-Fox-and-Par, respectively. Otis Willes from the Examiner to Metro. Bill Moore from the same sheet to Paramount. Jack Lawrence from the Examiner to Par to Goldwyn. Carl Schaffer from the Citizen-News to WB. Wire services don't feel so good about the copping of UP's Francis Heacock by Warners and the jumping of Bill Edwards from UP to Par.

## ITALY'S FILM EXPANSION; U. S. STARS

Rome, Feb. 1.

Phillips Holmes and Benita Hume are here starring in 'Casta Diva,' new film being made by Alleanza Cinematografica Italiana. It's a yarn based on the life of Vincenzo Bellini, composer, and is being made in English and Italian versions. It's starring Gallone, from Paris, is directing.

Film is the first in a series produced locally and favored by Il Duce's backing with the idea of improving Italian cinematography and spreading product out for world market consumption. Several other American and British stars and directors have been contacted for films to come.

London, Feb. 11.

When Benita Hume returns from Italy she will marry Jack Dunfee, wealthy London sportsman. Marriage is scheduled for here on Feb. 21.

Mintz's 'Crazy People'

Hollywood, Feb. 11.

Sam Mintz has signed a one-picture deal with Paramount. Marjorie Chase will be to get 'Crazy People' for Burns and Allen.

## Old Sol No Yes-Man, Rain Soaks Hollywood, but Films Keep Dry

Hollywood, Feb. 11.

In this land of sunshine and new political parties it rained for five days last week. If this had happened several years ago before pictures became audible the rain would have cost the studios a young fortune. With sound it has been found more practical to construct outdoor scenes within a protection of studio stages. A film company goes outdoors today only for city street scenes and the like.


Last week's drizzle, high fog or whatever Californians care to dub a young fog, hampered one picture, 'Sunset Romance,' First Division's Hoot Gibson western. Company had three days of cover sets for protection, but when the rain continued to the fifth day company had to lay off.

Building outdoor sets on stages eliminates the hazards connected with the production of sound pic-

tures due to the interference of outside noises. It also permits the controlling of light, and no matter how far pictures have advanced during the past few years they haven't made a yes-man out of Old Sol.


Though producing pictures on stages and doing little work on the outside mounts construction costs, in the long run it is a saving, permitting longer shooting hours, eliminating the necessity of sending electrical crews and generators on outdoor locations to kill shadows and sub for the sun when it ducks behind clouds. It also does away with all the petty graft connected with squaring locations.

Studios today produce less than 10% of their picture footage outside the confines of the studios. That makes it tough on tourists, who several years ago could stand on any Hollywood sidewalk and see players do their stuff in the village streets.



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# Cohen's Letout Recalls Par's Exec Cycle Which Has Included Lasky, Kent, Katz, Wanger, Etc.

In Emanuel Cohen's exit from Paramount the trade sees the traditional Paramount wheel turning again. One by one individuals elevated to high eminence, step by step, have left the company. Jesse Lasky, Sidney Kent, Sam Katz, John D. Hertz, Ralph A. Kohn, Walter Wanger, R. P. Schulberg, and H. B. Franklin are former Paramounters. Hertz, however, is back on the new board and Kohn may return to a post at the studio. Cohen's retirement from Paramount's helm is supposed to have been in the works for a year. Cohen became actual boss of the Paramount studio in the middle of 1932. Paramount went into receivership in 1933. By the close of 1933 Paramount income began to indicate black, and this continued in 1934. During '34 Zukor was asked by Paramount trustees to concentrate on production. Zukor stayed on the Coast for several months, commuting back and forth. Par production as a whole was subject to inside company criticism for months. No action was taken by Zukor until Friday (1). It was on that day that Zukor phoned Cohen to plane to New York.

Cohen left the Coast on Saturday and arrived in New York the following morning. It is no secret in the trade that Cohen and the distributing branch of Paramount went on the most friendly terms.

Austin Keough, Par's general counsel, is the new eastern chief of Paramount production, including shorts and newsreels.

On the Coast Henry Herzbrun is the over-all boss under Zukor. He also is a lawyer, like Keough. Ernst Lubitsch is now chief producer.

## DECENTRALIZ. BY WB MULLED

A policy of decentralization in the operation of the Warner Bros. shifting home office functions to the field is under a three-day discussion, calling in all its field operating chiefs, the meetings got under way yesterday (Monday) in New York.

Prior to calling the conference at the home office, WB had not decided on any very definite plan, desires being to discuss the whole situation at length with the zone managers themselves in an effort to determine whether the theatre chain should decentralize operation as others had, notably Paramount.

At present the Warner chain is operated from New York, with 12 zone or district managers in the field. All film buying and other functions are carried on from New York, Joe Bernhard being the general theatre operator, with division aids and department heads under him.

Even if decentralization is not determined upon to the extent practiced by Paramount and Fox, certain home office details may be left to the field and closer working arrangements between the h.o. and the zone managers instituted, with possible wider powers to the field operators.

The Warner chain comprises around 400 theatres and along with Loew's has continued centralized operation from New York. Par decentralization scheme was worked out largely by formation of partnerships, with wide operating powers to the partners. It originated with partnerships operating in some several years ago with a few partners, Fox following up the plan in a more general way by decentralizing. Par is almost totally decentralized through partnerships.

Nashville, Feb. 11. Warner Bros. has notified the Crescent Amus. Co. here that it will not carry out the balance of its con-

### H'wood Yen Shee

Hollywood, Feb. 11. According to Mervyn LeRoy, Willie Fung, Chinese actor playing the part of 'Kin' in 'Oil for Lamps of China', is the most fastidious actor of the screen. Says Fung has two valets on the set, one to hold his teeth for him when not necessary to wear in scenes, and the other to keep wardrobe in order.

## PROD. REPLY TO SCRIBES SENT TO ROSY Q.T.

Hollywood, Feb. 11. Brief of the producer-members of the producer-writer five-five committee has been sent to Sol A. Rosenblatt at Washington, answering the demands of the writer-members for standardized working conditions.

Unlike the writers, producers do not make public their brief, but it is well known that they offer no suggestions for working conditions but a \$4,800 demand that regulations have no place in a Government code.

## Producer Floored by Flying Jug in Cafe Melee Laws for 49G

Los Angeles, Feb. 11. Kickback from a New Year eve celebration in the Trocadero Cafe is a \$4,800 damage suit filed by Lon Young, producer with Invinible Pictures, against Mr. and Mrs. William Gargan, Mr. and Mrs. Roy Chandler and the cafe management. Jointly charged with having caused Young serious injury by a glass container heaved during an asserted affray.

Young declares in his complaint that he was sitting at an adjoining table when the actor and the writer and their wives and others created a disturbance. Out of the alleged melee came the glass projectile to strike him on the head, render him unconscious and require surgical and medical attention.

A scar left by the impact, he asserts, will require plastic surgery and time off from his production activities, to the probable total of \$1,650. This is part of the \$14,600 he demands from the Gargan and Chandler group, jointly, as compensatory damages, together with \$5,000 each from the quartet as punitive damages. From the Trocadero management he demands \$14,000 for alleged failure to render first aid or to stop the alleged affray.

## Rooney Leaves Hosp. to Rejoin WB Dream' Cast

Hollywood, Feb. 11. Forced out of the cast of 'Midsummer Night's Dream' by a broken leg, Mickey Rooney was expected back at Warner's today after spending three weeks in the hospital. Through a special removable cast it is likely that he'll rejoin the troupe for long shots.

Geisie Breakston has been pinch hitting.

tract of purchases of the firm's properties in Nashville. Jordan Stokes, Jr., counsel for the Crescent Amus. Co., states that the action of W.B. does not mean that the deal has definitely fallen through. He called the action of the film corporation 'unjustifiable,' and feels that, under the terms of the contract, the rights of the Crescent Amus. Co. are fully protected.

### N. Y. Guild Play Lures Helen Westley from Pix

Hollywood, Feb. 11. Following completion of 'Spring in Paris' for Radio, Helen Westley leaves for New York, possibly to appear in another Theatre Guild play. Actress was brought here last year by 20th Century for 'Rothschild' and has remained here without a layoff since then.

## CANCELLATION TEST UNDER DECENCY

Detroit, Feb. 11. Real test whether an exhibitor can cancel a feature if same is classed as objectionable, tests is a move started here by the Legion of Decency, in recent letter addressed by them to Carl E. Milliken, secretary of the Hays organization.

Letter in part read that justice be done to the exhibitors who have had to pay because local exchanges have refused to cancel objectionable features and that the exchanges in the future be required to cancel them as promised last fall.

Five exhibs aver that they attempted to cancel a feature that had been placed on the Legion's 'C' list and were not given any consideration by the local exchange manager.

## English Actress on Coast Visit, Handed Pic Lead

Hollywood, Feb. 11. Margot Grahame, English actress and wife of Francis Lister, has been engaged by Radio for one of the female leads in 'The Informant'. Miss Grahame came here from New York recently to visit her husband on the 20th Century lot.

### FOX BORROWS ROBERTSON

Hollywood, Feb. 11. Fox has borrowed John Robertson from Radio to direct one picture. Assignment will be 'Heaven's Gate', Shirley Temple starrer.

## Austin Keough a Key Man with Zukor And Schaefer at Par Home Office

Together with Adolph Zukor and George J. Schaefer, only Paramount executives on the new Par board so far, Austin C. Keough forms a triumvirate for the direction of Par activities under reorganization and is to fit into the home office picture in an important manner. If, after the reorganization plan is finally affirmed, the new board meets to consider any additional among Par officials, it is more than likely Keough will join. No action is expected prior to confirmation of the plan.

Nothing has been mentioned so far as the directorate is concerned about Walter B. Cokell, company's treasurer, although it is pointed out that he would be contrary to custom for the board not to include a firm's treasurer.

In becoming a key man in the Par picture through appointment to P. p. of five subsidiary groups, Keough, Par's general counsel for about four years, assumes a boss aspect over the former Emanuel Cohen branches, such as the Paramount News and shorts production in the east. Keough succeeds Cohen on the News as a v. p., as well as on Paramount Pictures Corp. This is the holding company which in turn branches out into subsidiaries such as Par Productions, Par Distributing Corp. and Par International. Schaefer is also a v. p. of the distribution subsidiary, while John W. Hicks, Jr., is also a v. p. of Par International. Keough has been on the board of these subsidiaries right along. He is also a member of the

## 'Deal' Contract Scrapped, 12 Major Studios Agree to New Acad Setup; Favors Artists; 'Strike' Clause Out

### Top Story Tellers

Hollywood, Feb. 11. Walter C. Kelly, now working in 'McFadden's Flats' at Paramount, rates George Ade as the greatest of all story tellers. Some years ago Ade called Kelly tops among the raconteurs.

Others who could toss a flip quip to the Virginia Judge's liking are: Ervin G. Cobb, Charles M. Schwab, Dave Montgomery, Lord Dewart, Senator John Sharp Williams (Miss.), Simeon Ford, N. Y. hotel man; Senator Ollie James (Ky.), James Whitfield Riley, Patrick Francis Murphy, N. Y. leather man; Frank Fogarty, vaudeville; Senator Chauncey Depew, Mark Twain.

## 20TH SHUTTING FOR SIX WEEKS, THEN 10 MORE

Hollywood, Feb. 11. Twentieth Century production goes dark for about six weeks, starting April 1. Siesta starts with the completion of 'Call of the Wild', 'Richieu', and 'Les Miserables', all currently in production.

With these finished, the company will have made nine on the 1934-35 program and on resuming production around May 15, 20th will make 10 more. First expected to get under the wire on opening will be Lawrence Tibbett story. Second half also calls for two more each from Ronald Colman and Fredric March. W. P. Lipscomb, who wrote the screen plays for the company's 'Clive of India' and 'Les Miserables' and now at Metro on 'Tale of Two Cities', returns to the lot after the close-down, under contract. He will write the next Colman story.

Hollywood, Feb. 11. Confirming their promise of a week ago, the company members of the Producers Association signed an agreement with the Academy whereby freelance actors are given a new deal in week-to-week contracts and on day work, starting March 1.

On that date the present five-year agreement expires and will be replaced by the new pact to be effective five years, although subject to revisions after two years. Agreement asks nothing of the artist and does not even include the 'no strike' clause of the existing contract.

In the pact the producing companies pledge themselves not to hereafter use the 'supplemental contract'. This was the document calling for a jump sum for an engagement, which had been the subject of considerable criticism and has been one of the weapons used by the Screen Actors' Guild in its claim of injustice at the hands of the producers. Actors getting \$40,000 or more a picture are amenable, however, to this 'deal' contract.

Companies which signed the agreement are RKO, Warner, Metro, Paramount, Universal, Fox, Educational, Columbia, 20th Century, Hal Roach, First National and Harold Lloyd Corp. It is also to be presented to independent companies for signature.

The agreement provides for the use of the new minimum contract on all freelance actor engagements on a week-to-week basis and the use of the new conditions governing employment of day players on a daily basis if the rate is above \$15 a day.

It further provides:

1. That an actor can get better (Continued on page 72)

## Swope Joining Radio Pix Prod. Budget Powwow

Hollywood, Feb. 11. Herbert Bayard Swope, chairman of the board of Selznick-Albee-Orr of the board of the Coast tomorrow (13) for a slant of the RKO coast properties and to join other RKO officials now here on production conferences.

Other RKO Radio execs, headed by M. H. Aylesworth, J. R. McDonough and Ned Depinet are currently huddling on next season's production budget.

## FOX WANTS BUTLER FOR TWO MORE YEARS

Hollywood, Feb. 11. David Butler has been offered a two-year contract by Fox. Has not yet signed.

This is the first contract that length proffered by Fox in several years.

## Frankie Darro Tied to Deal for 16 Pictures

Hollywood, Feb. 11. Court approval of Frankie Darro's contract with Ambassador Pictures commits the juve actor for 16 pictures at \$750 each.

Pact tying up his services for two years precludes any outside work.

### WANGER HAS FONDA

Hollywood, Feb. 11. Henry Fonda, lead in 'The Farmer Takes a Wife' is under contract to Walter Wanger.

He has been loaned to Fox for the role.



# FIGHT TO RETAIN COHEN?

## Par Execs on Coast to Plant New Studio Setup; Contracts of Producers-Stars Due for Decision

Hollywood, Feb. 11.

Reorganization machinery was to be set in motion at the Paramount studio with the arrival this week from New York of Adolph Zukor, George J. Schaefer, Russell Holman and other executives. While it was said the primary reason for their studio call was to induce into office Henry Herzbrun as general manager of the studio and Ernst Lubitsch as managing director of production, it is no secret that their mission goes far beyond that.

The all important matter of a new production setup is not to be dismissed easily. There are producer contracts to be ironed out, new ones for old, and options thumbing for a lift. The studio of William Le Baron, Benjamin Glazer and Louis D. Lighton will receive pronto attention. Their pacts are reported to have a few months to run and they are reported harkening to bids from other majors. Josef von Sternberg's covenant, too, is nearing its termination.

Star player-agreements will require no little of Zukor-Schaefer's time. Bing Crosby becomes a free agent in December. Studio must talk contract to Gary Cooper in August. Mae West has only one more to go after the new year.

It is likely that a huddle will be called with Cecil B. De Mille, as his agreement calls for only one more after "The Crusades".

While Herzbrun has announced that all jobs are safe and that few changes would be made, the studio is a beehive of rumors and reports. Some sources refuse to be convinced that Herzbrun is anything but a stopgap, to hold down the fort until a new studio head is named. This idea was somewhat dispelled when the new chief stated that Jacob Karp, who had been his aide, would take over the post of studio attorney.

The berth held by Al Kaufman, who functioned as assistant to the general manager in handling contracts and deals, may go to Ralph A. Kohn, Zukor's brother-in-law, and for many years Paramount treasurer, who resigned months ago during the early readjustment period. Kaufman will produce.

Other studies are looking upon the revamp with a disinterested eye and making no effort to influence player and directors one way or the other. Wild reports are current that player raids are being made under cover and that as soon as current contracts expire the changes will be announced, but there is no apparent basis for this rumor.

Attitude of Par directors toward the Lubitsch appointment is said to be friendly. He is expected to straight-forward statement that there would be no attempt to stifle individualism and that pictures would be made in much the same manner as they have been in the past few years.

Removal of Emanuel Cohen as studio head was received with genuine regret throughout the studios. That he will set up shop independently here is considered certain.

### Sternberg Marks Time As Par Contract Ends

Hollywood, Feb. 11.

Present contract between Josef von Sternberg and Paramount winds up in about two weeks when the director completes editing the last Marienne Dietrich feature, "The Devil Is a Woman".

Von Sternberg stated last week that he had not set any plans for the future, and had not discussed a new directing deal with Par. Furthermore, he declared, he would not talk to Par or any other company about a contract until he had completed editing the Dietrich film.

### 1st Fireside Chat

Hollywood, Feb. 11.

Getting together on writers and directors on the lot at the noon hour, Henry Herzbrun and Ernst Lubitsch held their first fireside chat Friday (9). Director-general Lubitsch expressed amazement at the furor created by his appointment. "Why, you'd think that someone who'd never made a picture before was saddled on the job," he smiled.

He promised the directors that there would be no interference in their work, that there would be no Lubitsch pattern to be followed. He insisted that there must be a balanced product and directors would be assigned to pictures that best fit their individual talents.

Promising a democratic, open-door administration, Lubitsch pledged his cooperation in ironing out what production difficulties may arise. He said his office would be open at all times to directors and writers and that he would be ready to be called at any time of the working day.

Associate producers and supervisors are necessary to successful production, he said, but "where" differences of opinion arise he would be ready to step in and adjust the incompatibility.

Writers were told that story ideas would be welcomed at all times and that their present setup would continue in force. He said he saw no reason for making a change just because the stewardship was entrusted to new hands.

Herzbrun spoke briefly. Scribes and directors went back to their work benches with the feeling that everything would be all right.

## MPTOA CONV. IN N.O. WILL ALSO TEST NRA

An unusual test of film industry codism, which must decide whether the NRA is to continue beyond this coming June or not, is being afforded the picture business through the MPTOA convention the end of this month. Exhibitors, chain theatre heads and other industry leaders, through the convention, will be placed in a particularly strategic position so far as reviewing codism is concerned.

With Congress due to vote on the Blue Eagle's continuance, MPTOA leaders point to the fact that this new legislation offered, exhibitors and others attending the convention will be in a sweet spot to either tear it all to pieces or express approval.

The latest film leader who has decided to go to New Orleans for the convention is S. R. Kent. Jules Levy, general sales manager of RKO Radio, also has added his name to the list of execs slated to attend.

Ed Kuykendall, president of the MPTOA, is virtually assured of reelection for another year. "He's a member of the Code Authority; but will not be in New York until the convention is over, sending an alternate instead at such meetings of the C.A. as are held.

## HINGES ON NEW BOARD'S CONTROL

Reinstatement Possible: Should Group Partial to Him Gain Dominance of New Board—But Court Must First O.K. Reorg Plan Before Any Such Action Could Take Place

### COHEN STILL IN N. Y.

There may be a fight to reinstate Emanuel Cohen in charge of Paramount production. But chance looms through possibility of any faction, favoring Cohen, gaining dominance of the new board of directors, through purchasing outstanding claims against the company. This could be a strong scrap. However, no action concerning Cohen can take place until the court first formally passes upon the new reorganization plan. This may mean not for several weeks. Hence, that more fireworks may be forthcoming, before the Cohen matter is closed, is possible.

In the event of Cohen's return as Par's studio head this would again start the studio lineup. Adolph Zukor and George J. Schaefer are currently on the coast to install the new studio setup. This plan includes Ernst Lubitsch as active production head under Henry (Continues on page 74)

## EXPECT EARLY TRIAL IN ST. L.

Early arraignment of individuals recently indicted along with companies in the St. Louis anti-trust action instituted by the Government, is looked for by film attorneys.

Six picture executives personally appeared in New York courts and posted bail of \$2,500 each. They are Harry M. Warner, Abel Carey Thomas, (WB) attorney; Herman Starr, (WB); George J. Schaefer (Par); Goodwill Sears, (WB) and Ned E. Depinet (Radio).

### Loew's Coast O.O.

Arthur Loew left New York for the Coast Friday (8) on a two-week tour to inspect production activities on the M-G-M lot.

Went by commercial plane, leaving his own air scooter at home because of unpredictable weather conditions.

## Cooper Leaving Radio in June To Align with Whitney's Corp.

Hollywood, Feb. 11.

Upon completion of "Pompeii" for Radio in June, Merian C. Cooper leaves that company to align with Jock Whitney in Pioneer Pictures. Move by Cooper has been contemplated for some time.

Producer is currently getting ready to produce "She", which starts March 6 at Prudential studios. "Pompeii" will get going around the first of April. Before starting with Pioneer in September, Cooper will vacation in Europe for two months. Radio producer, and former production head, was instrumental in getting Whitney interested in pictures. Whitney bought heavily into Technicolor, then organized Pioneer as a producing company for all color features.

## See Certain Par Bank Creditors Fading from the Picture; Talk Lynch for V.P.; Hertz-Richardson?

### Famous Last Words

Termination of Emanuel Cohen's relationship with Paramount ended abruptly in a two-minute confab last Monday (4) in the Paramount home office. Present were Adolph Zukor and Cohen only. It was around 5:10 p. m.

Substantially the conversation was as follows, it is accounted: Zukor: "We have been considering this matter for about a year, and we want your resignation."

Cohen: "My resignation is unnecessary. You can fire me!"

## PAR'S LAWYER V.P.'S ON BOTH COASTS

Now that Paramount is functioning with a lawyer as head of production on each coast, the Paramounters are figuring whether Henry Herzbrun as v.-p. in charge of production is Austin Keough's boss, or Austin Keough as Paramount's general counsel continues as Herzbrun's boss. Keough is the boss on eastern feature production, shorts and the newswear, besides being general counsel and a v.-p. of several major Par subunits.

Herzbrun has been with Paramount for 15 years, is well thought of on the coast, and well liked. Keough has been in the Paramount legal department for several years and general counsel of the company for around three or four years. Russell Holman and the story department are now understood to be under the supervision of Keough.

## 'ANNIE ROONEY' TAKEN BY FOX FOR SHIRLEY

Hollywood, Feb. 11.

Film rights to King Features Syndicate comic strip, "Little Annie Rooney", has been bought by Fox.

Company figures story based on the cartoon as a star for Shirley Temple.

Paramount's creditor control may undergo a change. Accounts have certain of the bank creditors fading from the picture, possibly by liquidating their claims for cash to certain interests. Such an eventually can change the Par picture materially, as it could affect actual control of the company.

Paramount in the meantime, to guard against making mistakes, may name a strong executive vice-president under Adolph Zukor, who will control the operating strings throughout. This new v.p. may be S. A. Lord, who reorganized Public Theatres.

In the meantime, Wall St. interests continue to battle over the possible control of the new Paramount board. This is expected to be settled in open court by Federal Judge A. C. Cox on Thursday (14). On that day Paramount's future setup may be determined with a certain degree of confidence, depending on what Judge Cox does about the nominations to the new board which are now before him. Observers generally believe little chance for any unusual upset.

Chances are that the new board will comprise 15 members only. Frank C. Walker doesn't want to go on the new board, having declined the invitation to become a director. Charles E. Richardson, former Par trustee, may withdraw also. However, R. C. Kremer, a department head, may be among the new nominees. He is stated to be suggested by the Szold-Munger group.

There appears to be a battle brewing over the nomination of John Hertz. It is hinted that both the Richardson and the Hertz nominations may be the subject of criticism at the hearing to be held before Federal Judge Cox. Judge Cox has reserved the right to veto the personnel of the initial board.

Presently there are nine members on the board. No additional directors may be put on, save by election by stockholders. Thus whatever additional directors may be nominated, they must stand before election by stockholders at a special meeting soon to be called. Such a meeting should occur shortly after the scheduled hearing of Thursday (14).

The Szold-Munger, debenture committee is fighting for a representative on the board. It is handed now that this committee may be representing claims of upwards of \$400,000, and fees, because of it is entitled to a board representative.

Richardson, who is considered in the trade as an ERPI nominee, in addition to being mentioned for the new board, also is being talked about for a company officership, but it does not appear likely that he will accept any of the jobs. However, he is reported to have an understanding with Adolph Zukor, whereby he would become Zukor's assistant on condition that the job doesn't take too much of Richardson's time. Since becoming a Par trustee, Richardson is "counted" among Zukor's closest advisers.

Other reports are that a Richardson nomination might become subject to Congressional inquiry in the contemplated Government probe into the affairs of the American Telephone & Telegraph Co. and its subsidiaries, including ERPI.

### Wm. Wright Resigns

Hollywood, Feb. 11.

William Wright resigned Saturday from Paramount after 10 years at the local studio following several years in the New York office. Wright, at time of resignation, was studio contact with N. Y. talking over the new understanding with Mr. Postford. Previously to that he was assistant to Ben Schulberg. Leaves here today (Monday) for New York to make a deal with another company.

## Indie and Foreign Distributors Protest Sending Pix to Coast For the Haysian Purity Seal OK

Film producers in the east don't like the Hays office's recent dictum that all features must be shipped to the Coast for examination by the Joe Brown office before purity seals are issued. Easterners can't see why the Hays office can't handle the situation in New York.

Bulk of complaint is from the standpoint that it's a highly extraneous extra cost, and, beyond that, the feeling is that, in case of difficulty or dispute, personal contact is not possible except with the producer and director involved going to the Coast also. Most of the films produced in the east are in the added expenditure, they claim, is important.

While it wouldn't be so costly to ship an ordinary feature film to the Coast and back, difficulty comes from the fact that the films as viewed must be uncut and undubbed. That is for protection of the producer because if the Brown office decides on some elimination from a finished product new sound track may be made necessary to avoid jerky spots and situations. That means that as many as 35 cans of film frequently must be shipped back and forth across the country for each feature.

Outside of the independent pictures produced in the east the situation also involves foreign language features and all British films. Not so bad from their standpoint on the money side since their films are completed when shipped but the distributors of these films too are squawking about it, and that they're in no spot to protect themselves on matters of inflexions. Distributors of foreign films also frequently work with only one or two prints because of the market possibilities and feel they are being put to unnecessary risks of losing their property by the Coastal shipments.

Hays office at first looked over all eastern and foreign pictures in New York but some weeks ago decided that it was better equipped to handle that problem on the Coast and ordered all films sent there with the exception of shorts which are still reviewed in New York. Indies point out that if the coast Hays office sent one of their more experienced men to New York to handle the situation it would be sufficient. There are not more than a couple of hundred pictures a year involved.

## MORROS TO H'WOOD PARAMOUNT STUDIO

At one time slated to become an associate producer at the Paramount studio, more lately to go out into the field of production so that he could produce abroad for Paramount, Morros leaves for Hollywood in a week or 10 days, this time to be groomed for a permanent film factory spot. He is being sent out by Adolph Zukor.

Morros will be succeeded as managing director of the Paramount studio on Broadway by Bob Weltman, at present managing the house of Morros, with Ed Sullivan and Ben Grier as his assistants.

## Studios Mull Originals By Ernest Booth of San Q.

Hollywood, Feb. 11.

Purchase of screen rights to two originals by Ernest Booth, innately at San Quentin, has been considered by major studios. Metro is ogling 'Silverette', an animal romance among the silver foxes, as likely film material. 'Ladies of the Evening' is being considered by 'Theodore the All-Grifted', a 400-page tome dealing with the Byzantine Empire, has been submitted to publishers by Booth.

## Bill Bradys on Coast

Hollywood, Feb. 11.

William A. Brady and his wife, Grace George, are due here shortly. At Brady's side will be the wife of one of the 125 plays he controls; Miss George to make a try at pictures.

## Composites

Another routine against which the film firms are trying to guard themselves by the major commercial photographers who offer to photograph anybody with any film player the customer prefers.

Schemes in the customer to send in a photo of himself, the photographer then making a composite picture with the chosen film player.

The offshoots and chaises to which this practice may lead are obvious. Picture companies may ask postal authorities to look into the matter.

## SKOURAS BROS. EAST TO SET F-WC DEAL

Spyros and Charles Skouras pulled out from Los Angeles for New York to huddle with Chase Bank and Fox Film execs on final conference over the proposed 10-year operating deal for the rejuvenated Fox-West Coast circuit, just purged of bankruptcy. Spyros went to L. A. a week previous and spent most of his time here in confabs with partners and operating chiefs of the circuit.

Also returning east, after participating in the final wringer proceedings on the Coast, are Julian Hagen and Norman Boxerov, of the N. Y. law firm of Mudge, Stern, Williams & Tucker, and William Gossett, of Hughes, Sherman & Dwight. Ed Alperstein, who went west with Spyros Skouras, is staying on for three or four days.

Los Angeles, Feb. 11.

New operating setup of Fox-West Coast Theatres, under new ownership of National Theatres Corp., includes 137 houses on the Pacific slope and Fox West actually functioning, and 32 houses closed.

Districts, with their chiefs and number of houses:

L. A. first-run, L. Reeves Esqy, 4 theatres; L. A. District No. 1, A. Hanson, 26; L. A. No. 2, Cullen Esqy, 18; Beach, George Bowser, 12; San Diego district (including Imperial Valley), George Brown, 12; Orange County, Milton Arthur, 4; Special, Charles P. Skouras, 2; Southern California, Dick Dickson, 14; Arizona, Homer Gill, 4; Metropolitan, Sam Francisco, 10; Bowles, 3; Peninsula, A. M. Miller, 10; East Bay (Oakland and Berkeley), Richard Spier, 12; Valley, Nick Turner, 11; Montana, Will Steege, 7.

## Bernerd's Sudden Return to England Renews G-B's Peeve at U. S. Filmmers

Jeffrey Bernerd, head of Gaiety, suddenly back to London Saturday (5) after a long distance telephone conversation with Mark Ostrer, company's prez, in which he is understood to have announced dissatisfaction with American exhibitors' attitude on the company's films.

Sudden sailing left the New York G-B office surprised. Ostrer was expected to come over late this week, but is now understood to have changed his mind and will attend conferences with Bernerd in London.

Prize to going Bernerd expressed himself as very much annoyed with the U. S. business the company has been doing. Claims that G-B's films are not being given an even break here, especially by the major exhibitors and wants Ostrer in London to start retaliatory measures against Americans over there. G-B operates the most important film house chain in Britain and is doing business with American film companies all the time so Bernerd feels that the Americans should play ball with him in America, or else.

## Fields-McHugh Signed To Clef Wanger Tuner

Hollywood, Feb. 11.

Walter Wanger has signed Dorothy Fields and James McHugh to write music and lyrics for numbers slated for the musical, 'Every Night at Eight.'

Producer signed the pair after accepting one number, 'I Feel a Song Coming On.'

## 20TH CENT. SETTLES IN FOLIES' DISPUTE

Through 20th Century Pictures, Inc., settling the 'Folies Bergere' title dispute with the cabaret theatre revue currently at the French Casino, N. Y., it also is a break for the nitery in that possible competition from abroad is eliminated. The film producing company claimed title grant to the Parisian revue title directly on a deal with Paul Derval, Paris impresario of the annual 'Folies de Paris' show. Clifford C. Fletcher and Jules C. Stein, president of the Music Corp. of America, who produced the 'Folies' at the French Casino, claimed a similar stage production grant from the same source. Fletcher-Stein used to enjoin 20th Century, alleging that the film title, upon the picture's release, would damage the Broadway nitery venture.

20th Century, with its own 'Folies Bergere de Paris' film soon to be released, decided it was expedient to make an amicable out-of-court settlement.

A cease-and-desist also was not to participate in any move with Derval for the importing of an original 'Folies' stage revue and play it on Broadway in competition to 'Folies de Paris' venture.

That had been an intention, with the Manhattan Music Hall mentioned as to the house for the imported Derval production, which was to have been bathed as the original.

## L. A. TO N. Y.

Tom Bally.  
Norman Boxerovs.  
Gary Cooper.  
Jules Evans.  
Alice Faye.  
Betty Hutton.  
Robert Florey.  
M. H. Hoffman, Jr.  
Ab Lastfogel.  
Edwin Lester.  
S. Barrett McCormick.  
Hamilton McFadden.  
Princess Paley.  
Jack Pegler.  
Ted Flo Rito.  
Charles Skouras.  
Spyros Skouras.  
Lew Smith.  
William Wright.  
Allie Wurzel.

## N. Y. TO L. A.

John C. Finn.  
Jack Kautman.  
Beatrice Kaufman.  
Arthur Loew.  
David Loew.  
James L. Sullivan.  
John Mercer.  
Mrs. Jack Robbins.  
Jack Schaffer.  
Herbert B. Swope.  
Herbert Bayard Swope.

## Gold Clause Outcome Keeps Market Puzzled, but Averages Remain Firm

### Yesterday's Prices

Sales.	High.	Low.	Last.	Chg.
300 Col. Pict.	8 1/4	8 1/4	8 1/4	- 3/4
400 Com. Film.	10 1/4	10 1/4	10 1/4	0
500 East.	11 1/4	11 1/4	11 1/4	+ 1/4
600 Fox	10 1/4	10 1/4	10 1/4	- 1/4
700 Gen. Film.	9 1/4	9 1/4	9 1/4	0
800 Par.	8 1/4	8 1/4	8 1/4	- 1/4
900 RCA	8 1/4	8 1/4	8 1/4	- 1/4
1000 Metro	8 1/4	8 1/4	8 1/4	- 1/4
1100 NKO	8 1/4	8 1/4	8 1/4	- 1/4
1200 W.B.	8 1/4	8 1/4	8 1/4	- 1/4
1300 Tech.	8 1/4	8 1/4	8 1/4	- 1/4
1400 Trans.	8 1/4	8 1/4	8 1/4	- 1/4
1500 Bond.	8 1/4	8 1/4	8 1/4	- 1/4
1600 Gen. Th.	8 1/4	8 1/4	8 1/4	- 1/4
1700 Low.	10 1/4	10 1/4	10 1/4	+ 1/4
1800 Par.	8 1/4	8 1/4	8 1/4	- 1/4
1900 Par-Pub.	8 1/4	8 1/4	8 1/4	- 1/4
2000 De. Cl.	8 1/4	8 1/4	8 1/4	- 1/4
2100 W.B.	8 1/4	8 1/4	8 1/4	- 1/4
2200 W.B.	8 1/4	8 1/4	8 1/4	- 1/4

\* New 1934-35 high.

In the dulles full-day trading this year, stocks fell back fractionally yesterday (Monday). Tendency to get out of the market over the holiday and failure of many traders even to show up yesterday kept trading at almost a standstill. Amusements dropped back with remainder of the lists.

Exceptions were Eastman Kodak common, up 1/4 points to 11 1/4, and Radio Preferred A, which closed at 60 1/4, for a fractional gain. Many amusement liens were firm to higher. Paramount bonds hit a new top at 69, up a quarter.

With outcome of the Supreme Court's gold-clause ruling still overhanging the market like a dark cloud, the average of the 100 stocks to stand firm when the final bell rang Saturday. Dow-Jones industrial averages finished the past week at 102.65, where they were up 0.48 of a point.

Wagering for the amusement group also firmed up near the close and finished with a gain of 0.198 of a point, at 25. This group followed the main trend in that the average closed lowest on Wednesday, when they dropped to 23 1/2. Most amusement stock prices reached their peak during the feeble rally Friday. High for group was 25 1/2, which clearly showed that the picture company issues wound up the week's trading near the highest quotations.

Numerous amusements registered new lows for the year, which was about in line with the trend of several industrials and practically all rail stocks. Outstanding example contrary to this was Madison Square Garden, which climbed to new 1934-35 high at 7 1/4. This stock finished at 7, where it showed an advance of three-quarters.

Loew's common closed at 32 1/2, same level as at the end of the preceding week. It also registered the same peak as the previous week at 33 1/2. These two facts, plus its action in holding above \$31 a share, indicated that the accumulation may be going on in this issue.

Fourth Week  
This is the fourth week that the range of Loew's common has been between 31 1/2 and 33 1/2. In the street this stock is looked upon as being more of an investment issue right now than a speculative stock. The conservative policy of Loew directors in keeping a definite dividend over a long period also is considered important to those who look for a stock which does not fluctuate widely, but when it does goes forward on a firm basis.

Warner Bros. dropped fractionally. Its action in recent weeks, according to chart readers, has been nothing to cheer about. However, a more active trading in the market for the stock of the old-line favorite. Warner preferred on the whole acted better than the (Continued on page 31)

## Congressional Probe Of Film-Radio Patents

Washington, Feb. 11.

Congressional airing of patent control in film and radio business begins shortly when House Patents and Copyrights Committee opens hearings on proposed to require publication of all license and pooling agreements.

Promising 'sensational disclosures,' Chairman Sirovich, of New York, legislation sponsor, said committee will probe deeply into sound picture patent situation and reopen the old monopoly charges in the radio industry.

Starting with aviation patents, Sirovich expects to get around to film next week but was casey about disclosing the identity of his witnesses. Independent makers of sound apparatus have been on hand for several weeks looking for aid from legislation to sound picture patent situation and probably will appear, while Sirovich expects to quiz officials of the Patent Office about what they know concerning cross-licensing and pooling.

Legislation before the committee is aimed at smashing alleged monopolies which are entrenched behind Government protection for important processes and equipment. Sirovich said the competition has been stifled in a dozen important lines and that consumers are rooked indirectly as a consequence.

## 'Dance' Is Over

Hollywood, Feb. 11.

'Go Into Your Dance' with Al Jolson-Ruby Keeler has been finished after 12 weeks.

## WANT SCREEN CREDIT

Two Who Didn't Get It Suing Fox Par for \$50G

Los Angeles, Feb. 11.  
Screen credit on a picture is worth 20 times the sale price of the story.

This is the approximate figure filed by two writers in connection with separate Superior Court damage suits filed against producers within the past week.

Walton-Hall-Smith demands \$50,000 in compensation for allegedly omitted screen credit in an action against Paramount which he accuses of having failed to live up to its promise to use his name in adapting his original story for the Bing Crosby feature, 'We're Not Dressing.' Studio bought Smith's 'The Cruise to Nowhere,' progenitor of 'We're Not Dressing,' for \$25,000, the complaint states. Smith's pay was low, Smith says, only on consideration of the promised publicity.

The other case where a value of fifty grand is set on screen credit is a plagiarism charge filed against Fox by Vera Clark who claims the studio unwarrantably used her original 'Circumband' in its production 'Delicious.'

## HARRY RAFF'S FLU

Hollywood, Feb. 11.

Harry Raff in the hospital with influenza.

# CLAUDE R. ADAMS IN 1935

## Exhibs' Feuding in Ohio May Force The State to Reimstate 10% Tax

Columbus, Feb. 11. Feuding among exhibitors of the state has taken on such proportions in the last week that the threat of Ohio legislators to put back the old 10% tax on admissions now looms.

Two bills that are certain to cause plenty of squabbling among exhibs and between exhibitors and distributors already have been introduced in the legislature here. Neither has much chance for passage, but both undoubtedly will cause considerable wrangling.

The latest measure to be presented is one intended to prevent the fixing of playdates for percentage pictures. This would virtually outlaw an exhibitor from entering into a contract for definite playdates.

The first proposed legislation to arouse dissension is that drawn up by a few indie exhibs to jack up censorship fees. This one, if it becomes a law, would boost the fee from \$1 to \$5 per reel. The intent of the measure is to add an additional burden for the distributor to carry.

The odds, however, are that it will be an added cost for exhibitors, say the latter. Still another measure, but one that never was actually introduced, would tax films at the rate of 2¢ per foot. The exhibitor, rather than the distributor, would have had to foot the bill, it was pointed out.

While none of the measures probably will get through the legislative mill, the arguments among the exhibs and counter-attacks by distributors already have stirred up the state solons. Attitude of the representatives is seen in the fact that a house committee already has recommended a resumption of the state tax on admissions to film houses.

This 10% tax, which was repealed last November, was bringing into the state treasury about \$775,000 annually. It was in existence only a year and a half, and was repealed because Ohio placed a sales tax law ineffect which covered theatres.

Baltimore, Feb. 11. Though not unexpected, a bill was introduced in the state legislature last week which proposes to hike taxes on picture houses. Since the state badly needs coin to balance its budget, and since the legislators are consequently slapping many levies, shownmen were particularly surprised, but what proved a real jar was the fact that the bill provided for an exact doubling of the present taxes, plus an additional tax on all chain-owned theatres.

Par Trustees' \$650 A Wk., All Each Will Get for 14 Months

The Paramount trustees will receive approximately \$650 a week for their trouble, or no more than \$3,400 individually for the 14 months they have served the bankrupt picture company. This figure is declared by attorneys to be final in view of the denial of the Circuit Court of Appeals for leave to go into a higher court in an effort to increase the amount.

In refusing attorneys of the Par trustees a chance to appeal from a recent U. S. District Court decision setting allowances at \$97,300, the Par trustees suffer their first court defeat. All along it has been the other side which has faltered on appeals, even after arguing them.

The Par trustees, Charles D. Hiles, Eugene W. Leslie and Charles E. Richardson originally asked for \$100,000 each. Although all attorneys in the Par picture on the outside were served of notice, an argument on attorneys when a question came up Jan. 21, only Samuel Zirn showed up, submitting a brief opposing the leave of appeal.

## Another Booth Scale Hearing in March

Washington, Feb. 11. Another public discussion of formulas for fixing minimum booth costs in New York exhibition houses is slated for early March. Definite date not set, but Division Administrator Sol A. Rosenblatt said to day no possibility of avoiding a second gab session.

Rehearsing required by sharp differences expressed fortnight ago over the Brandt plan submitted by a fact-finding exhibit committee, the strongly-indorsed O'Reilly alternative, and the union scheme.

## Still Battling Over Legality Of 'Bank Nights'

Minneapolis, Feb. 11. Filing its first complaint since the inception of the industry code, Public Northwest circuit has fired what is regarded as the opening gun of a determined local campaign to halt the numerous business getting stunts like 'Bank Nights,' 'Jack Pot,' amateur and lottery-gift nights, which Twin City independent neighborhood and suburban houses are employing on an increasingly large scale.

The Public complaint with the grievance board is in behalf of its leading Minneapolis nabes houses, the Uptown and Granada, against Ben Friedman's new de luxe suburban theatre, the Edina. It alleges that the Edina's 'Bank Nights' constitute unfair competition for the Uptown and Granada, and thus violate the industry code. A cease and desist order is sought.

Houses involved are more than (Continued on page 74)

## NRA for Two More Yrs.; Modifications Will Not Affect Film Code

Washington, Feb. 11. Continuation of the N. R. A. for two more years but with provision for abandonment of unsatisfactory codes will be recommended to Congress by President Roosevelt some time this week.

Planning several minor details in the Recovery law, the President sketched his plans last week to Administration leaders and it is known that he has not decided to set up the Blue Eagle as a permanent outfit. Legislation is being drafted and will be introduced as soon as the White House message is presented.

A number of other alterations are contemplated but few if any will have material bearing on the film code. The principal changes now looked for probably will require some revision of the picture pact, it was understood.

Although Washington considers it a foregone conclusion that the President's request for continuation of N. R. A. will be granted, there is every reason to expect that a number of hot scraps will mark consideration of the legislation. Particularly in the Senate are opponents of the present act and critics of N. R. A. policies preparing for a persistent struggle.

Seiter Directs Jailer Hollywood, Feb. 11. William Seiter is at Fox-to-day 'Safe in Jail,' comedy to be produced by Robert Kane. Film starts in two weeks.

## MAIN PROBLEM'S TO TILT PATRONS

Any Actual Upping of Scales Not Deemed Practical This Year

### PRICE FIXING

There is virtually no chance for exhibitors to get higher admission prices during 1935.

Although food and meat prices, the cost of clothing and the retail prices for nearly every article used in everyday life has gone up during the last six months, the scale of admissions for picture houses has remained practically stationary, according to a summary made by Hays organization officials.

While some industries have been aided outright by price fixing in their codes, and others have been aided by various federal government programs, the amusement business has been passed by entirely along these lines. Few of the price-fixing arrangements have been successful but the NRA has dashed hopes in raising prices for the grain grower, the livestock raiser and cotton farmer.

It is in regions affected by these better prices that the picture industry has been aided most materially. Despite a jump in gross business in these areas, there have been few or any efforts made to tilt the admissions. Even in districts hit by the drought, the Government's payment of monies to recompense these losses has left farmers generally in a position to spend more.

The main reasons that admission prices have not gone up and probably will not this year are that the theatre ticket's price is based on costs and that competition between exhibitors is keen. There (Continued on page 31)

## Skouras' 14th St. Hdqtrs.

Skouras Theatres, it is understood, figures to make the Academy theatre on East 14th street, N. Y., its future home office headquarters. Likelihood appears to be for Skouras' to move from the Paramount Bldg. around June 1 or earlier.

## Lotteries and Giveaways in N. Y.

Operating in the Metropolis Around the Corner from the C. A.

Despite the disputes and arguments over lotteries extending over a period of months and including many threats and meetings by the Film Code Authority, there is a picture theatre operating within eight blocks of the C. A. headquarters in New York that gives away \$20 in cash prizes every Tuesday night. House calls 'em 'Thrill Nights,' awarding four prizes of \$5 each.

The same exhibitor gives glassware to every woman attending his show Saturday nights, claiming that each dish retails at 25¢ to 30¢.

Other picture theatres within a radius of 12 blocks of the Authority's N. Y. office also stage their special gift nights regularly each week. One house offers 15 pieces of crockery every Monday night.

Still another exhibitor, topping his gift-awarding competitors, is now offering 15 cases of beer as prizes on one night during the week. Most of these houses have low admissions, one at a flat 10¢ scale for

## Reduction in Rates for Film C. A. Seen; '34 Surplus to Be Allocated As Credit for '35; Exhibs' Costs

### C. A. Costs for Jan.

Operating expenses of the film code authority for January, 1935, as revealed by John C. Flinn, executive secretary, were \$23,475. Home office expenses, \$3,842.61; Hollywood, \$3,054.93.

Code authority's cash position is given as \$43,006.25.

## 10c Ducats at Chi Previews For M.P. Relief

Chicago, Feb. 11. Plan is being considered whereby the occasional midnight trade previews of new pictures will be utilized to raise money for the local Motion Picture Relief Fund. In the past the cash has been raised by means of a bi-annual banquet which meant plenty of fuss and bother.

Under the plan submitted to the film leaders here by Herb Ellsberg, publicity chief of the Essaness theatres, seats at the previews will be sold at 10¢ each, which would figure about \$200 per preview. With about 20 previews held annually it would be possible to raise \$4,000 annually. Takes about \$3,500 a year to take care of the local relief list.

## Sprague Ups at Par

Hollywood, Feb. 11. Chandler Sprague, of Paramount's writing staff, has been elevated to the post of assistant to Ernst Lubitsch. He will act as liaison between his chief and the writing staff.

Sprague at one-time was scenario head at Fox, rival side to Benjamin Glazer at Par for several years.

Washington, Feb. 11. A reduction in the average tax for support of the film code authority in the first half of the current year was seen last week as the NRA gave the proposed code budget an intensive go-over and issued implied ultimatum that the 1934 surplus be liquidated without delay.

Mingled with hints that features of the coin-raising plan are not entirely agreeable were indications of satisfaction for the manner in which expenditures have been made to rock bottom in "nancing such a perplexing administrative job. Government men seemed pleased at the tight grip maintained on C.A. purse-strings by John C. Flinn but also disclaimed occasional feelings that the assessment and financing plans should be altered to spread the burden more equitably over the whole industry.

Perfection of a clause permitting distributors to pro-rate their tariffs among the producers they represent occupied Deputy Administrator Farnsworth and Secretary Flinn after the hearing concluded. Legal sharpers were turned loose on the provision to guarantee it is iron-clad as well as workable. Assessment notices for 1934 had been held up until this feature received approval, although majors have made substantial payments in the way of advances on their bills.

Despite the prospect of an increase of nearly \$150,000 in code administration costs this year—not a single industry squealer has dared to protest against either the budget or the assessment scheme. The sole complaint from outside the Government came from the Independent Exhibitors of New England. An Allied affiliate, which wailed that small indies are hit too hard by the existing system.

Quizzing Flinn intensively and indicating the possibility of changes, Saul Nelson, NRA research and (Continued on page 46)

## C.A. UNANIMOUS ON L.A. Z-C SKED

With a unanimous vote, after some modifications, the Film Code Authority in New York Thursday (7) passed the zoning provisions of the Los Angeles schedule, making the L. A. zoning and clearance schedule the latest to be approved in the United States. It will be placed in effect as soon as it is drafted by the legal committee headed by Tyrone Dillard, which will be in about 10 days.

The zoning schedule for L. A. covers some 179 zones, 29 in Los Angeles alone, and approximately 450 theatres in about 150 cities and towns.

W. P. Farnsworth, deputy administrator, came from Washington to attend the meeting last week. John C. Flinn, C. A. secretary, who had been in Washington earlier in the week, reported on the progress being made towards final approval of the Code Authority assessment schedule for 1935. He indicated that NRA officials were in accord and that the assessment asked would be approved within about a week's time.

This schedule provides for an expenditure of \$600,000 in 1935. The only possible hitch was taken care of at the meeting when the C.A. approved amendments to the assessment schedule that provided for security money for the war-time division. Washington already had (Continued on page 74)





**Stanton** (1,700; 30-40-50)—  
 clety Doctor' (MGM). Started m  
 ly enough, \$4,800. Last week 'I



# WINGS \$14,000 LEADS NEWARK

Newark, Feb. 11.—'Wings in the Dark' at the Park-Newark will lead the field this week with a good \$14,000. The Branford with 'Iron Duke' and White Cockade' opened badly but Saturday was S.R.O. along with the Newark. Should do \$5,000 with a possibility of more.

Last week's zero weather pulled down some grosses but this week is starting nicely, with spring apparitions around the corner.

Every one surprised 'David Copperfield' did not hold over with hold-ups right up till the last minute and taking in over \$20,000 which is about all that could be taken. Underestimated house wanted to keep it but New York nixed it. So Loew's goes into the red this week with 'Wings in the Dark'.

**Estimates for This Week**  
Branford (WB) (2,966; 15-65)—'Iron Duke' (GB) and 'White Cockade' (WB). After opening hopelessly took a spurt to over-capacity and what this means is problematical, but maybe \$8,000, fair. Last week 'Bordertown' (WB) and 'Maye-be It's Love' (FN) nice on eight days at \$12,000.

Capital (WB) (1,200; 15-25-35-40)—'Forsaking All Others' (MG) and 'It's a Gift' (Par). Edge of Joan Crawford open probably lost two weeks' run at Loew's but it should be enough in this bill to reach \$4,500. Last week 'I Am a Thief' (WB) and 'Light a Veil' (MG) and 'Playing German' due to a shortage of other product. Will be close to red at \$750. Last week 'Zweil Herzen' (AFA) and 'O Ate Buerchell' (AFA) (AFA) okay at over \$1,000.

Loew's State (2,780; 15-75)—'Winning Ticket' (MG) and 'Audience' (MG). Both are all in red for this as even the holiday can hardly pull it over \$11,000. Last week 'David Copperfield' (MG) splendid at over \$20,000 and should have stayed.

Paramount-Newark (Adams-Par) (2,235; 20-95)—'Wings in the Dark' (WB) and 'Monty Python' (WB) on stage. Opening like a house afire and apparent that Myrna Loy's box-office success is expected to be a nice \$14,000. Last week 'Bengal Lancer' (Par) after one good week, on ten more days \$20,000, very swell.

Proctor's (FOX) (2,800; 15-65)—'Baboo's' (FOX) and 'Grand Old Girl' (Radio). Not too good and expected to hold only five days. If so \$7,000, but if kept for a week \$9,000, with holiday helping. Last week 'Romance in Manhattan' (Radio) and 'Heldorado' (Fox) nice at over \$9,000.

Terminal (Skouras) (1,900; 15-25-40)—'Red Morning' (Radio) and 'World Accuser' (FD) with 'Once to Every Bachelor' (Syn) and 'Rescue Squad' (Syn) split. All first runs this week with no good seconds and opening bad. House holding out S.O.S. for product. Hardly \$3,000. Last week 'West of Pecos' (Radio) and 'Bachelor Girl' (WB) with 'The Minister' (Radio) and 'Within the Rock' (Syn) split nice at \$4,400.

## NEW HAVEN FAIR

Gilbert-Sullivan Oppish Hurts 'Lily' \$9,000

New Haven, Feb. 11.—Back to straight pix after two houses went heavy for stage shows last week. Return to films meaning a sharp dive to Roger Sherman, but Paramount holding up well with 'Lily'.

A full week stand of D'Oyly Carte Op. Co. at Schubert, not help him spots any this week. Here's an epidemic of amateur writers hereabouts with nibs joining the big parade.

**Estimates for This Week**  
Paramount (Publ) (2,345; 35-50)—'Gilded Lily' (Par) and 'Home on Range' (Par). Nice comments on the big \$9,000. Last week 'Wings in the Dark' (Par) and 'Jimmy Lunceford' on stage. Town's top money by a whisker at \$9,200.

Polix (Loew) (3,040; 35-50)—'Clive of India' (UA) and 'Best Man Wins' (Col). Just a fair opening, but may build to \$10,000. Last week 'Little Minister' (Radio) and 'Secrets of Chateau' (U). Couldn't stand stage show competition and failed to reach a possible \$7,800.

Roger Sherman (WB) (2,200; 35-50)—'Gigolette' (Radio) and 'The Mt. Mystery' (Par). Dying on its feet for week \$3,500 on six days. Run cut to bring in \$10,000. Last week 'Woman in Red' (WB) and Will Osborne revue—'Topped everything at this house for months at \$9,000, with flesh getting very credit. Probably means additional—stage face to follow.

Big (Loew) (1,800; 25-35)—'Under Pressure' (Fox) and 'Little Men' (Masco). Action fans going big for 'Pressure' and took headed for nice \$3,400. Last week 'Copperfield' (MG) holdover, at \$5-50 scale, drew a good \$9,000 on six days.

## Comparative Grosses for January

Total estimated grosses during January for towns and houses listed as previously reported weekly. Dates given are the closing days of the week.

### NEW YORK

	Jan. 10	Jan. 17	Jan. 24	Jan. 31
<b>CAPITOL</b> (5,400; 35-75-1.10) High, \$110,000 Low, 10,000	Forsaking All Others \$70,000 (Stage Show)	Forsaking All Others \$35,000 (2d wk) (10 days)	Night Is Young \$24,000	Copperfield \$55,000
<b>PARA-MOUNT</b> (3,364; 35-45-15-85) High, \$95,000 Low, 10,000	Here's My Heart \$52,000 (2d wk)	Sweet Adeline \$24,000	Bengal Lancer \$53,000	Lancer \$42,000 (2d wk)
<b>MUSIC</b> (5,045; 40-40-35-10-110) High, \$110,100 Low, 44,000	Little Minister \$100,100 (New High) (Stage Show)	Minister \$72,000 (2d wk)	Evergreen \$55,000	Romance in Manhattan \$56,000
<b>ROXY</b> (2,200; 25-30-35) High, \$178,000 Low, 5,200	Green Gables \$42,300 (2d wk) (Stage Show)	It's a Gift \$25,500	Unfinished Symphony \$25,500	County Chairman \$38,000
<b>RIALTO</b> (2,000; 40-40) High, \$72,000 Low, 5,200	Murder in Clouds \$12,000	Man Reclaimed \$15,000	Man \$7,000 (2d wk)	Baboo's \$15,000
<b>STRAND</b> (2,000; 35-45-65-85) High, \$81,200 Low, 6,500	Dark			Bordertown \$32,000

### CHICAGO

	Jan. 10	Jan. 17	Jan. 24	Jan. 31
<b>CHICAGO</b> (4,000; 35-55-75) High, \$75,000 Low, 15,500	Imitation Life \$55,000 (Stage Show)	Broadway Bill \$40,200	Bill \$39,100 (2d wk)	Here's My Heart \$23,500 (Jack Benny)
<b>PALACE</b> (2,500; 35-55-35) High, \$34,700 Low, 7,000	Romance in Manhattan \$22,100 (Vaude)	Little Minister \$22,100	Grand Old Girl \$13,800	Sweet Adeline \$11,000 (10 days)
<b>UNITED ARTISTS</b> (High; 35-45-65) High, \$43,500 Low, 3,300	Kid Millions \$15,000 (4th wk)	Barnum \$14,700	Barnum \$8,800 (2d wk)	Sweet Adeline \$11,000 (10 days)

### LOS ANGELES

	Jan. 10	Jan. 17	Jan. 24	Jan. 31
<b>DOWN-TOWN</b> (1,800; 23-30-40) High, \$38,500 Low, 1,700	Millie of Gods \$35,800 (Vaude)	Murder in Clouds \$6,800 (8 days)	Babbitt and West of Pecos \$6,400 (8 days)	Secret Bride and Silver Streak \$5,100
<b>HOLLYWOOD</b> (2,700; 35-45-55) High, \$37,800 Low, 3,100	Adeline \$7,900 (10 days)	Little Minister \$10,500 (10 days)	Bordertown \$6,600	Bordertown \$7,200 (2d wk)
<b>PARA-MOUNT</b> (3,300; 30-40-55) High, \$57,800 Low, 5,500	Broadway Bill \$19,500 (2d wk) (Stage Show)	Here's My Heart \$30,800	Heart \$13,300 (2d wk)	President Vanishes \$14,300 (Bill Robinson)
<b>STATE</b> (2,024; 30-40-55) High, \$48,000 Low, 4,500	Bright Eyes \$11,800	Kid Millions \$13,800	Painted Veil \$10,000	Barnum \$9,100

### BROOKLYN

	Jan. 10	Jan. 17	Jan. 24	Jan. 31
<b>FOX</b> (4,000; 25-30-50-55) High, \$48,600 Low, 5,500	Broadway Bill \$19,000 (2d wk) (Stage Show)	Bill \$20,000 (2d wk)	Best Man Wins \$17,000	Man Reclaimed \$14,000
<b>ALBEE</b> (3,500; 25-30-50-65) High, \$45,000 Low, 9,000	Bright Eyes \$20,000 (Vaude)	Green Gables \$14,000	Wednesday's Child \$15,000	Little Minister \$15,000
<b>PARA-MOUNT</b> (4,000; 25-35-50-65) High, \$57,800 Low, 5,500	Here's My Heart \$13,000 (2d wk)	Sweet Adeline \$13,000	It's a Gift and White Cockade \$10,500	Bengal Lancer \$25,000
<b>METRO-POLITAN</b> (3,000; 25-35-50-65) High, \$39,000 Low, 12,000	Painted Veil \$19,000 (Vaude)	Forsaking All Others \$19,000	Night Is Young \$20,000 (Calloway)	Barnum \$19,000
<b>STRAND</b> (2,000; 25-35-50-65) High, \$29,000 Low, 3,000	Sell Anything and Hell in Heavens \$8,000	Murder in Clouds and Band Plays On \$5,000	I'm a Thief and Mills of Gods \$5,500	Father and West of Pecos \$5,000

### DENVER

	Jan. 10	Jan. 17	Jan. 24	Jan. 31
<b>DENHAM</b> (1,000; 20-35-50) High, \$16,000 Low, 2,000	Here's My Heart \$4,500	Fountain and Behold My Wife \$5,500 (Split) (8 days)	President Vanishes and Limehouse Blues \$4,000 (Split)	Innocence \$4,500
<b>DENVER</b> (2,000; 25-35-50) High, \$27,700 Low, 3,000	Forsaking All Others \$8,000	Kid Millions \$7,500	Sweet Adeline \$6,000	County Chairman \$9,000
<b>HELIUM</b> (2,000; 25-35-50) High, \$20,000 Low, 3,500	Bright Eyes \$10,000	Transatlantic \$6,500	Broadway Bill \$10,000	Bachelor Girl \$7,000
<b>MOUNT</b> (2,000; 25-40) High, \$22,800 Low, 1,200	Babes in Toyland \$3,000	Forsaking All Others and Gay Bride \$3,000 (Repeats follow)	Kid Millions \$3,000	Babbitt and Broadway Bill \$5,500

### BOSTON

	Jan. 10	Jan. 17	Jan. 24	Jan. 31
<b>KEITH-MEMORIAL</b> (2,000; 25-40-50) High, \$43,000 Low, 4,000	Little Minister \$14,500 (2d wk) (Vaude)	Romance in Manhattan \$7,500 (Repeat)	Evergreen \$5,000	Enchanted April \$6,200
<b>ORPHEUM</b> (3,000; 25-40-50) High, \$43,000 Low, 4,000	Evelyn Prentice \$14,500 (Vaude)	Barnum \$15,000	Night Is Young \$10,000	Forsaking All Others \$15,500 (Repeat)
<b>METRO-POLITAN</b> (2,000; 25-40-50) High, \$45,000 Low, 2,500	Bright Eyes \$27,500 (Stage Show)	President Vanishes \$25,500 (Paul Whiteman) (6 days)	County Chairman \$19,000	Bengal Lancer \$32,000 (8 days)

### BUFFALO

	Jan. 10	Jan. 17	Jan. 24	Jan. 31
<b>BUFFALO</b> (3,000; 30-40-50) High, \$42,000 Low, 5,000	Here's My Heart \$17,500 (Stage Show)	Rachelor Girl \$17,000 (Gene-Glenn)	County Chairman \$14,500	Gilded Lily \$20,000 (G. Givort and S. Froos)
<b>CENTURY</b> (3,400; 20) High, \$21,000 Low, 3,200	Menace and Plays On \$6,000	St. Louis Kid and One Hour Later \$9,800 (9 days)	Hell in Heavens and Sell Anything \$5,000	Daily Bread and Silver Streak \$5,500
<b>HIPPO-DROME</b> (2,400; 25-40) High, \$22,000 Low, 3,600	Bright Eyes \$15,000	By Your Leave and President Vanishes \$5,000	Barnum \$7,400	Babbitt and Gay Bride \$6,000

### SAN FRANCISCO

	Jan. 10	Jan. 17	Jan. 24	Jan. 31
<b>PARA-MOUNT</b> (2,487; 30-45-40) High, \$37,500 Low, 5,000	Happiness and Happiness \$15,000	President and Happiness \$15,000 (2d wk) (6 days)	Enter Madame and Bachelor Girl \$12,400	Father Brown and Sweet Adeline \$10,000
<b>GOLDEN</b> (2,850; 30-45-40) High, \$22,500 Low, 5,400	Little Minister \$21,500 (Vaude) (10 days) (Stage Held)	Little Minister \$21,500 (2d wk)	Grand Old Girl \$13,200	
<b>WARFIELD</b> (3,000; 30-45-40) High, \$57,400 Low, 8,200	Here's My Heart \$25,200 (Stage Show)	Forsaking All Others \$14,000	Forsaking All Others \$14,000	Bengal Lancer \$21,500

### PROVIDENCE

	Jan. 10	Jan. 17	Jan. 24	Jan. 31
<b>STATE</b> (3,000; 15-25-40) High, \$29,000 Low, 2,500	Forsaking All Others \$15,000	Forsaking All Others \$14,500 (2d wk) (4 days)	Broadway Bill \$5,000	Bachelor Girl and Mills of Gods \$6,800
<b>MAJESTIC</b> (2,200; 15-25-40) High, \$17,500 Low, 2,500	Sweet Adeline and Exciting Adventure \$8,000	Secret Bride and Babbitt \$7,800	County Chairman and Man Reclaimed \$8,300	Bordertown and Maybe It's Love \$5,800
<b>STRAND</b> (2,200; 15-25-40) High, \$18,000 Low, 2,000	Here's My Heart \$27,200 (Home on Range) \$10,000 (Vaude)	Heart and Range \$4,000 (2d wk) (4 days)	Enter Madame and President Vanishes \$7,500	Little Men and Marines Are Coming \$5,700
<b>ALBEE</b> (2,200; 15-25-40) Low, 1,900	Little Minister \$12,500 (Vaude)	Romance in Manhattan \$10,100	I've Been Around \$9,400	Enchanted April \$5,700

### PHILADELPHIA

	Jan. 10	Jan. 17	Jan. 24	Jan. 31
<b>ROXY-MASTBAUM</b> (3,000; 25-40-50) High, \$76,000 Low, 27,000	Here's My Heart \$24,000 (Stage Show)	Bachelor Girl \$24,000	Right to Live \$30,000	Gilded Lily \$27,000 (New Low)
<b>EARLE</b> (3,000; 25-40-50) High, \$33,000 Low, 10,500	Secret Bride \$15,000 (Vaude)	Romance in Manhattan \$13,000	Band Plays On \$15,000 (Ted Lewis)	Maybe It's Love \$14,500
<b>FOX</b> (3,000; 25-40-50) High, \$41,000 Low, 10,500	Bright Eyes \$27,000 (Stage Show)	Evergreen \$10,000 (5 days)	County Chairman \$15,000	Lottery Lover \$12,200
<b>STANLEY</b> (3,000; 25-40-50) High, \$48,000 Low, 3,750	Broadway Bill \$22,000 (9 days)	Imitation Life \$10,000	Bordertown \$11,000	Bengal Lancer \$15,000

### PITTSBURGH

	Jan. 10	Jan. 17	Jan. 24	Jan. 31
<b>PENN</b> (3,200; 25-35-50) High, \$41,000 Low, 3,750	Forsaking All Others \$15,000	Forsaking All Others \$7,000 (5 days)	Here's My Heart \$6,000	Bengal Lancer \$12,000
<b>WARNER</b> (3,000; 25-40-50) High, \$29,000 Low, 2,000	Captain Hates Sea \$6,000	Father Brown and Silver Streak \$4,000	Grand Old Girl and Murder in Clouds \$4,000	Menace and Maybe It's Love \$4,000
<b>STANLEY</b> (3,000; 25-35-50) High, \$48,000 Low, 3,200	Sweet Adeline \$7,500 (Stage Show) (5 days)	Bordertown \$5,500 (5 days)	Behold My Wife \$34,500 (Mary Livingston)	Broadway Bill \$11,000

### CINCINNATI

	Jan. 10	Jan. 17	Jan. 24	Jan. 31
<b>ALBEE</b> (3,200; 25-42) High, \$33,500 Low, 5,800	Barnum \$23,000 (9 days)	Forsaking All Others \$25,000 (10 days)	County Chairman \$15,000	Bachelor Girl \$10,000
<b>PALACE</b> (3,000; 25-40-50) High, \$28,100 Low, 4,500	Romance in Manhattan \$6,500	President Vanishes \$5,000	West of Pecos \$5,000	County Chairman \$4,500
<b>LYRIC</b> (3,000; 25-40-50) High, \$28,900 Low, 2,900	Secret Bride \$5,000 (5 days)	Bordertown \$5,000	Forsaking All Others \$4,000 (Repeat)	Right to Live \$5,000 (New Low)

(Continued on page 42)







## "THANK YOU FOR A THRILLING EVENING" . . . . .

"With a roll of drums and a crash of cymbals from the United States Marines, Warner Brothers' first Cosmopolitan Production arrived last night at the Strand Theatre. It's exciting as a big parade—entertainment through and through. Fun factions alternate with heart-stirring, breathtaking sequences in machine-gun rapidity. Most sensational sequences to reach the season's screens. The aerial stunting will make you gasp. No one should miss it. It tops all in thrills."— *Regina Crewe in N. Y. American*



## THANK YOU, NEW YORK, FOR A THRILLING PREMIERE

A triumphant turnout of celebs and citizens that overflowed four premiere night shows . . . formed a 9:30 line next morning . . . and put the Strand hot on the trail of San Diego's astounding record of 76% over 'Here Comes the Navy' figures! . . . And the coast-to-coast parade of smashing premieres continues with biggest gross and attendance in past year at the Roosevelt, Chicago; 2-block lines at the Memphis Warner; new house record for opening matinee at the Hillstreet, Los Angeles!

# "DEVIL DOGS

Starring **JAMES CAGNEY • PAT O'NEILL**

A Cosmopolitan

## "THANK YOU, MISS CREWE, FOR A THRILLING REVIEW"

"We agree with every word you say. And we're glad to see that *you* agree with Mr. Sennwald of the Times ('loaded with pictorial dynamite . . . most remarkable aerial photography in years')—Mr. Boehnel of the World-Telegram ('moves with glorious excitement')—Miss Creelman of the Sun ('expert combination of thrills and fun')—Miss Johaneson of the Mirror ('a stunning thriller')—and Miss Pelswick of the Journal ('an outstanding achievement . . . tremendously impressive')."



## "THANK YOU, WARNER BROS., FOR ANOTHER THRILLING HIT"

"I'm always glad to hear that the boss has booked a Warner picture. They give me something to do these long winter evenings. I meet so many interesting people when we play shows like 'Flirtation Walk', and 'Bordertown' and those swell Clue Club mysteries. That's why I'm looking forward so eagerly to Rudy Vallee in 'Sweet Music', Kay Francis in 'Living on Velvet', 'Gold Diggers of 1935', Al Jolson and Ruby Keeler in 'Go Into Your Dance' and Paul Muni in 'Black Fury', as well as to..."



# OF THE AIR"

## 'BRIEN Directed by Lloyd Bacon

Production



## First Showing of Tri-Dimensional Film Set for Paris Pic Festival

Paris, Feb. 8.  
First three-dimensional film, invented by Louis Lumiere film pioneer who is hailed here as the original inventor of cinema, will be shown here in November as part of a celebration in Lumiere's honor.

No details yet available of Lumiere's new invention, but it is asserted that he has solved the three-dimensional problem by a new method.

Big bally for French films is planned this year in honor of the fortieth anniversary of Lumiere's original invention of cinema. In France, "Lumiere Year" has been picked as the title for 1935, and the Chambre Syndicale, working with the Renaissance Francaise, is running a jubilee celebration.

Ceremony at Lumiere's under chairmanship of President Lebrun is on the cards for November fetes. A film of Lumiere's life was to be made, but the inventor vetoed the idea.

Jubilee was at first planned for May, but Charles Delac, president of the Chambre, decided to postpone it until November to permit fuller preparation.

## SEE MEXICAN U. S. FILM TAX ACCORD

Mexico City, Feb. 11.  
Looks like peace in the offing for the American distrib fight with the Mexican government. Exactly one week remains for the threatened S. walkout, Americans having told the localities they would close up shop on Feb. 18 unless something was done about what they call "un-sufferable" film taxes.

Government sent word around to the distributors today that they would like to think things out and get them straight. Asked if okay by the distributors for the government to send lads around to look over the pic companies' books and figure whether taxes really were unfair. Distributors said okay, but that Feb. 18 deadline still holds.

Whether or not the government can get its checking done, its reports in and changes in taxes arranged in accordance with sufficient time, is the question.

## ACTRESSES PICTURES IN PARIS ART EXHIB.

Paris, Feb. 8.  
Portraits of Mariene Dietrich, Jeanette MacDonald and Joan Crawford are prominent features of the current Salon des Artistes Independents.

Picture of Miss Dietrich by German artist Bernard painter, is described by local critic as an "alliance of sensuality with purity." Star is shown in huge white hat with her face indistinctly indicated in pastel blue.

Miss MacDonald is shown dressed in pearl-gray satin in a painting by Emma Presti. The Joan Crawford picture is by J. H. Larkine.

Among other show women whose portraits figure in salon are Mirielle, composer-singer of pop songs, and Marianne Oswald, diseuse.

## EXPENSIVE TEST

Par Bringing Boxer Over to Tryout for Films Here

London, Feb. 2.  
Walter Friedman came over here to take Jack Doyle, Anglo-Irish boxer, over to America.

Although Doyle has an option with British International for two more films, understood B.I.P. agreed to let him go to America and do picture work, if his test there is satisfactory, as B.I.P. has no money to work for him, and figures that with an American rep. the fighter will be worth even more.

Understood Friedman has in his bag a contract from Paramount to test Doyle for their picture company, and to return first-class transportation and \$2,500 for his trouble and time in coming over.

## ANOTHER HOLLYWOOD

Hopeful Think They Can Put Over An African Spot That Way

Paris, Feb. 1.  
Agadir, in French Morocco, where France and Germany once almost clashed before the war, is being boosted by an international Hollywood. Climate is what the spot is supposed to have.

General Weigand, after being ousted as commander in chief of the French army, went to spend a month at Agadir, thereby encouraging the town. Besides eventually putting Hollywood out of business, boosters expect the town to be a center for winter tourists and also a big commercial and naval port.

There is now one hotel there.

## U. S. PIX LEAD IN SYDNEY BIZ

Sydney, Jan. 17.  
Tanks pics copied most of the trade over the most prosperous holiday period Australia has enjoyed in years.

"One Night of Love" (Col.) and "The Count of Monte Cristo" (UA) opened amazingly and are sellouts. "Cleopatra" (Par) stayed four weeks, and "Treasure Island" (MG) played five sessions daily to cope with the mob. "Gay Divorcee" (Radio) goes into its third week and will continue.

With management getting such a healthy break so early, prospects are rosy for the forthcoming season. With the vaults open, and new pics finding their way into all houses, b.o. trade is hitting very high.

Entertainment currently offered here includes, "Now and Forever" (Par), "Kiss Me Make Up" (Par), "Beyond Bengal" (Case of Howling Dog) (WB), "Crime Without Passion" (Par), "I Give My Love" (U), "My Song for You" (G-B), "Girls Will Boys" (RIP), "Barrett of Wimpole Street" (MGM), "Affairs of Cellini" (U), "Servant's Entrance" (Fox), "Wonder-Bar" (WB), "Big Hearted Herbert" (WB), "Bitter Sweet" (D), "This Man" (MGM), "World Moves On" (Fox), "Bulldog Drummond" (Strike Back) (UA), "Strike Me Lucky" (B.E.), "Chained" (MGM), "20 Million Sweethearts" (WB), "Viva Villa" (MGM) and "Wagon Wheels" (Par).

## Machaty Sues Czech Filmer on Infringement

Prague, Jan. 31.  
Gustav Machaty, director of "Eostoe" and other Czech films, has brought legal action against the Slavia film company, Melosner distributing company, Director Marc Fric and Hugo Haaswera, actor, for alleged infringement of author and film rights on a scenario written by him.

Machaty claims that in 1932, assisted by the Czech actress-author, Scheinfugova, he wrote the scenario of a film opera which he submitted to Slavia under the title of "Patent No. 13." Nothing materialized from these negotiations, the deal falling through.

He declares, however, that in the fall of 1934 he read in a film trade paper of a film being prepared by Marc Fric and Hugo Haaswera under the name of "Patent No. 13" and immediately protested the use of his title. At a later date he says he saw a film in Prague bearing the title of "May the Dead Live" with Fric and Haaswera credited as the authors, who made the film for Melosner. His present court action he alleges that the film "May the Dead Live" is exactly identical to the scenario originally submitted by him.

## French Taste

Paris, Jan. 29.  
Two American made films, "Caravan" (Fox) and "Cleopatra" (Par) are classed among the 10 best pictures of 1934 in a referendum conducted by "Depeche du Toulousain," most powerful provincial newspaper in France.

This is first class indication of taste of French country customers, who are the big money contributors to all film, as a group. Votes were cast by 20,514 readers of the paper.

## Pittaluga Co. to Be Reorganized: LUCE, Govt. Co., in Charge

Rome, Jan. 31.  
Reorganization of the Stefano Pittaluga company was effected at a meeting of the directors at Turin, whereby the government film company, LUCE, assumes control of the company.

Newly appointed board of directors will include Barone Paulucci de Caloli (president of LUCE), Senator Prof. Giuseppe Biondi, Dr. Giovanni Borgia, Hon. Giovanni Marinelli, Hon. Valentino Orsolin-Concell, Dr. Cinielli, Count Placentini, Count Giacomo Suardi, Dr. Enrico Lombardi, Leopoldo Parodi Delfino, C.E.B. Dr. Leonardo Pagliani, Giuseppe Nicoletti and Aldo Bargellini.

Officers of the company will be transferred from Turin to the capital, where subsequent meetings will be held.

Capital of the company will be reduced from \$2,112,500 to \$211,250, sum to be increased gradually until it reaches \$445,000.

Pittaluga company was formed in March, 1919, with a capital of \$169,000, and was financially successful until it increased its capital and was merged with the Union Cinematografica Italiana in 1927. Same year the company closed its fiscal year with a heavy loss and suffered a big depreciation. Since that, company has been tottering but believed present government move will save the places.

## DUTCH HOLLYWOOD TO HAVE TWO STUDIOS

The Hague, Jan. 31.  
A new Dutch Hollywood is arising on the border of The Hague in the township of Wassenaar. New film-village is being built on grounds which were a few years ago the residence of the late E. Dycckema, then-American-Minister at the Dutch Court.

Two studios will be built. Between the two studios will come a separate building for sound and electric purposes. There will be a separate laboratory and cutting-room, while the entire plant will have its own electric power plant.

In a cinema, adjoining, films can be seen by the trade. There will also be a concert-hall.

In the grounds (28 acres) various sites can be put up for outdoor shooting. Studios are also near a beach and woods, which should help that way.

## Smith's Second

Paris, Feb. 1.  
Guy Crosswell Smith, former United Artists chieftain here and now head of his own distributing firm Productions Cinematographiques Internationales, has bought his second French film, "Clown Box," now being produced by Acta Film and megged by Jacques Natanson.

Smith's first picture, "La Flambee," was a big local success, and he has taken his time before selecting another. He has his own organization for distribution in the Paris district, states rights the rest of France and other countries.

"Box" is a circus picture, and many of its interiors will be taken at the Cirque d'Hiver here. Film shots were made Jan. 14 and film is to be finished in April.

## Ince at Teddington

London, Feb. 2.  
Ralph Ince has signed a year's contract as supervising director at Teddington studios.

He is currently playing a feature role in "So You Won't Talk" which stars Monty Banks.

## Heads of French Indie Syndicate Quit Chambre, Foreign Members Snag

Paris, Feb. 1.  
Stern Writing English Titles for French Films Coming Over

Paris, Feb. 1.  
"La Maternelle" ("Kindergarten") Universal's French made picture which cleaned up here a couple of years ago, has been bought by John S. Tapernoux for showing in New York. Deal was concluded between M. Perez, local Universal sales manager, and Paul Charles River of the group which supplies Tapernoux with films.

Picture will be shown in French with English titles at first, and possibly dubbed later.

Stern is having English titles written by Bob Stern, to be put on "Le Gendre de Monsieur Poirier," French classic of the Comedie Francaise repertory. Marcel Pagnol's job in Marseille is doing the superimposition. Figured that money is saved by doing it here rather than in New York.

Tapernoux, called for France, Saturday (3), to complete details of several pending film deals.

## DOLL ACTORS IN RUSS PIC

Moscow, Jan. 20.  
Among the new films to be released shortly in connection with the 15th anniversary of the Soviet film industry, the following films are announced:

"Aerograd," scenario and production by A. Dovzhenko, author and producer of "Arsenal," "The Earth and Town," "Aerograd" is to be the first film featuring the Far-East and its importance as a new industrial base of the Soviet Union in connection with the present international political situation.

"Peasants," scenario by M. Bolshintsov, directed by F. Ermler. Treats the collectivization policy in agriculture, village life and class struggle among farmers. Will be released simultaneously in sound and silent versions.

"Gri Friends," a sound film featuring heroic Soviet girls who participated in the civil war which followed the bolshevik revolution. Directed by J. Aronstam. Music by D. Shostakovich.

"Winged People," about Soviet fliers. Action takes place in one of the Soviet flying schools and deals with the tendencies of the majority who are for disciplined flying and others who are "flying record flights." Scenario by A. Matcheret. Producer, J. Roysman.

"Emmit," from novel by Shoukhov, devoted to showing the culture growth in the contemporary village life. Directed by Mrs. O. Preobrazhensky and I. Pravov.

"The New Gulliver," based on Jonathan Swift's novel. Being filmed by the method of extended multiplication. Over 1,500 dolls are being employed in this film. Will be accompanied by special music. Directed by A. Roussakov.

"We Are From Cronstadt," dealing with the sailors of the Baltic fleet and their participation in the defense of Leningrad in 1918. Scenario by V. Yashnevsky. Directed by F. Delgan.

## U.P.T. REORG. HAS G-B IN TO MANAGE HOUSES

London, Feb. 2.  
United Picture Theatres, Ltd., at a meeting Jan. 28, passed a resolution whereby Gaumont-British Picture Corporation will manage the U. P. houses for a period of 20 years.

Repealer will be dispensed with and the nominal value of the debenture stock will not be altered. Interest on the debentures for the past 18 months is to be waived and a fixed rate of interest on debentures will be reduced to 3 1/2%.

This interest payment will be guaranteed by G-B for 10 years. Debenture holders, however, will participate in the net profits of the company to the extent of 1 1/2% per annum.

Paris, Feb. 1.  
G. Lourau of Tobis and P. J. de Venloo, officers of the newly formed distributors' syndicate, yesterday visited from the Chamber Syndicale, marking a definite break with the Delac organization and paving the way for co-operation between the new body and the independent producers' organization.

Officers of the distrib' union, named at the beginning of the week by its board of directors, are Lourau, president; Henri Klarfeld of Paramount vice-president; Marcel Sprecher of Self, secretary; A. Stein of Metro-Goldwyn-Yaer, assistant secretary; E. Ratisbonne of Grands Spectacles Cinematographiques, treasurer; and J. L. Lafont of Fox and J. Schob d'Hericourt of compagnie Francaise Cinematographique.

First snag was struck by one of the officers when a loud wall arose in French circles over fact that president and vice-president represent foreign concerns. Argued that it will look funny if the association has a French vice-president. All of Government—which undoubtedly will happen—to have the letters signed by a president representing a German film company or a vice-president representing a French film company and directors are French citizens, however.

Jacques Noel, president of the Independent Producers, conferred with Lourau today to work out method of collaboration of the two organizations.

## DUTCH TOWN GETS PIX AGAIN AFTER 2 1/2 YRS.

The Hague, Jan. 31.  
After two and a half years of darkness, film houses of Vernaay will be re-opened. Reawakened cinematic activity of town occasioned by the town council and the Netherlands Cinema Association reaching an agreement whereby the existence tax of 25% of the gross, will be replaced with a new modified levy of 20% and complete abolishment of a minimum sock.

Another concession granted the exhibitors lifts a ban on admission of minors.

Film houses in this locality, a Catholic stronghold, have had a tough time overcoming the excessive taxation and the exclusion of minors and closed up in protest, although it was never expected to last this long.

## 60% OF ITALIAN PIC RELEASES FROM U. S.

Rome, Feb. 1.  
Total number of films produced and imported into Italy for the year, 1934, amounts to 284. Of this number, 174 accounts for 28, the remainder were brought in from other countries.

American films predominated with 170, a slight decline from previous years as against 224 in 1933, 171 in 1931, 137 in 1932 and 174 in 1933.

Germany is runner-up with 38 films. France was represented with 24 and England contributed 23.

Figures are not actually complete, as there are a considerable number of foreign films which, because they have not yet been passed by the censor or because they have not yet been dubbed, are still on the outside awaiting admission.

## 222 Films in Prague For Year, 86% Imports

Prague, Jan. 31.  
Annual report released by the Ministry of Commerce on the number of films shown throughout Czechoslovakia for the year of 1934 gives 222 as the total amount. Of this number the largest percentage was foreign made, 191 (86%) of the films being imported.

Germany leads with 79 films, which is 41% of the entire amount exhibited and is a sharp edge on competitor countries. That is due, of course, to the fact that Americans refused to bring any films in.

# FRENCH R.C.A. INTO PIC BIZ

## Proposed Belgian Film Measure Seen as Gen'l Diplomatic Move

Brussels, Feb. 11.

Economics Minister has signed a decree banning all dubbed films except those dubbed domestically. That means whether the films are dubbed in French or Flemish. Measure is not yet effective because unpublished officially, but will become law, unless stopped, within another week or so.

If going through, as seems likely here at this point, it would mean that Americans would be in a difficult spot, since Belgium is considered about half of the French market, and it would mean that pictures would have to be dubbed into French twice, once in Paris and again in Brussels. Market is too small to allow for that kind of double expenditure on the part of foreign film producers (mostly American) it is felt, which is the reason for the considerable hubbub that the new measure is creating.

Paris, Feb. 11.

Harold L. Smith, local Hays office rep, got busy the minute it was announced what Brussels had decided, and is waging a bitter fight from here to keep the new Belgian law from being published. He left early this morning (Monday) for Brussels with a representative group of local American and French film reps, and has arranged for his group to be officially received in Brussels for a discussion of the problem.

Belgian filmies who favor the new measure will also be present and present the government with their viewpoint, and the meeting will be attended besides by American government representatives.

Washington, Feb. 11.

U. S. Government circles were surprised late last week when apprised of the news from Belgium of the move against American films. Belgian government is currently in negotiation here with the Department of Commerce for a tariff truce between the two countries, with some mention locally that the Belgian measure may be a diplomatic move to get into the line in some fashion, better terms in Washington.

Major Frederick Herron of the Hays office was in touch with the State Department via telephone from New York a few minutes after the news was received here and has been in close touch since. Friday night (8) the State Department sent a sharp cable to the American Ministry in Belgium with instructions to get into the line and do everything possible to avoid making the new law effective.

In New York, home offices of film companies were watching Belgium closely, but were not too much worried, feeling certain that the combined efforts of the Hays office and the State Department would defeat the measure. All the foreign heads currently in New York expressed themselves as believing that should the law in some fashion go through they would have to quit business in Belgium and might have to face eventual tanning down France, too, because each market on its own is not sufficient without the other.

## 'COPPERFIELD' AT \$3 TOP, LONDON, MARCH 5

London, Feb. 11.

Metro has leased the Palace theatre for 'David Copperfield' and will open the film March 5, twice daily, \$3 top schedule. C. B. Cochran's revue, 'Streamline', is currently at the Palace, but show suddenly dived last week after doing well for a couple of months, with the closure notice going up.

Metro is paying Cochran a flat rental of \$2,500 for the house and guaranteeing an eight weeks' run, with options for extension.

## Shirley's French Voice

Paris, Feb. 1.

Shirley Temple's voice in French is that of Sylviane Mancelli, 9 daughter, of Edith Mancelli, French actress.

Sylviane is the leading local child dubbing actress, and she gets the honra whenever Shirley's face on the screen has to correspond with a voice talking French from the sound track. She's at the same time the youngest dubber and one of the veterans; she has already dubbed 44 films, which record not many of her elders can touch.

## EX-BERLINITE IN LONDON PIC BIZ

London, Feb. 2.

Hans Oppenheim, son of a former wealthy German business man, who was compelled to turn over half his fortune before he was permitted to take his family out of Berlin, has embarked in the film business in England.

His first picture was 'Forbidden Territory' with a Russian locale, featuring Gregory Ratoff and Ronald Squire. Company was called Progress Films and his associates were J. G. & R. B. Wainwright, well known film distributors. Picture has been turned over to Gaumont-British for release, yielding young Oppenheim a profit of \$75,000.

Former German has made an offer to Robert Montgomery to appear in a Progress Films production here next fall at a salary of \$5,000 a week.

Understood Metro is agreeable to granting Montgomery a leave of absence for the English proposition.

## SCRIBES' FILM LEADS TO A DUEL IN PARIS

Paris, Feb. 1.

A duel—whether with swords or pistols has not yet been decided—on the cards as a result of the first meeting of the newly elected board of directors of the French film newspaperman's association—Association de la Presse Cinematographique.

Row arises from last year's attempt of the association to make a picture for the benefit of its retirement fund. It made the film—'Thou Art France'—in the end, but meanwhile a gent named Vincent sold the rights to each territory a couple of times, leaving the association holding the bag.

Large clique of newspapermen think Jean Chatignier, of Le Journal, their president, is the muse who got them into the mess, and yesterday (31) they went out to get him. It was moved to appoint an investigating committee to look into what Chatignier has been doing and the directors split even, eight to eight, on the vote, with two abstaining. A committee will probably be named.

Discussion led to words between Chatignier and Jacques Noel, of Griffe Cinematographique, one of the trade papers which led the anti-club fight in favor of American films. According to Noel's friends, Chatignier called him things that are not in the dictionary, and according to Chatignier, Noel insulted him.

Noel challenged Chatignier and two seconds representing Noel will meet two of Chatignier's friends to decide whether honor is involved, and if so, to set the time, place and weapons.

## WILL DISTRIB U. S. RADIO PIX

Both Companies with Ether  
Backing Join Hands  
Across Ocean—Eight  
Films to Start

### PRODUCTION LATER

Paris, Feb. 1.

Franco-American film collaboration is seen in a contract between RKO-Radio Pictures International, Ltd., and Radio Cinema, subsidiary of the French Compagnie Generale de Telegraphie Sans Fil (local equivalent of RCA) whereby the latter will distribute Radio pix in France.

French concern will pick a minimum of eight films from Radio's 1934-35 production, and dub them. Will also release English versions of same pix, if it sees fit.

In addition, Radio France is bound by agreement to release at least two local made, to sweeten the Hollywood product. Will also make 10 or a dozen shorts.

Deal was made by Harry Lesaim, general sales manager for Radio Radio Pictures International, and Colonel Brenot, director of Radio Cinema. Actual distribution will be in the hands of Pierre Lelong, commercial director of Radio Cinema, who has been with Paramount and Metro here, and was (Continued on page 72)

## Metro-Fox's Danish Patents' Victory Depreciated in U. S.

Copenhagen, Feb. 11.

Metro and Fox won a court decision here Friday (8) against Nordisk when the Danish patent rights precedents. Nordisk had won a previous legal decision against Western Electric (Erpi) on noiseless recording, local patent company proving to court's satisfaction that it had prior rights.

All American companies with the exception of Metro, Fox and Radio have come to an agreement with Nordisk since its original decision which involves extra payment of royalties to Nordisk on the recordings. Metro and Fox preferred to re-record all their films in New York on other than Erpi tracks, thus getting out of the patent squabble. Nordisk used to stop the re-recordings but court held that firms were within their rights and that patent was not violated unless films were actually brought in on Erpi noiseless recording tracks.

RKO Radio Pictures is not involved because using RCA Phonograph recordings, which is outside the argument. Radio is the only major using RCA.

In New York, court decision was not regarded with tremors, because original court ruling against Erpi still stands and re-recording in New York costs as much or more as do the royalties to the Danish firm.

## Pix of U. S. Profs. in Germany Enroute Here

Berlin, Feb. 2.

American universities will get prints of films made of last year's trip of some 50 profs from 26 American universities.

Pictures were shown to an audience composing most of the American colony here. According to announcement, the visitors came here to see and learn the new Germany. They were here four weeks. Journey took them over Bremen, Berlin, Potsdam, East Prussia and south German sections.

## Metro's Q.T. Attempt to Buy Up French Gaumont Chain Defeated; Government Control Also Nixed

Paris, Feb. 1.

Attempt of Metro-Goldwyn-Mayer to get control of the Gaumont-Franco-Film Aubert theatre chain by offering to buy assets of the bankrupt society was definitely squelched Wednesday (30) in meeting of film subcommittee of the finance committee of the Chamber of Deputies and Finance Minister Germain Martin.

Committee, considering several offers to put G.F.F.A. back on its feet, decided to accept none at present and to meet again in about a month.

Metro had been keeping its offer very quiet, and had flatly denied a local report concerning its interest in G.F.F.A. However, bid was common knowledge among French interests, and provoked a campaign against attempt of foreigners to get hands on an important French theatre group.

German Martin told the committee that the government was determined to get back the money it had sunk into the Gaumont firm without aid from foreign capital, thus definitely leaving Metro out in the cold. Plenty of capital available in France, is the opinion.

## LONDON'S RADIO CITY STARTS SOON

London, Feb. 11.

Plans are practically complete for work to begin on Clifford Whitley's long deferred local Radio City and Music Hall. Latter is to seat 6,000 and play pictures and revues at a \$1 top, with a massive restaurant adjoining where entertainers will double.

Although there is still a lot of secret hush-hushing about the location of the new enterprise, understood that it will be on the Metropolitan site at the West End. Negotiations now on for the Crown property adjoining, which would make it an island site.

Sir Francis Towle, head of the Gordon Hotels chain, and the Alpine Bldg. Co., are behind the venture, as was originally announced when Whitley's plan first was mentioned some eight months ago.

## TOEPLITZ TO U. S. TO SIGN NEW STAR

Paris, Feb. 1.

Ludovic Toeplitz de Grand Ry, London film producer, here for gala opening of 'Dictator', plans a trip to America at the end of the month to sign up a star, as yet unnamed, for his next film.

Picture will be based on the life of actor Edmund Kean, and Toeplitz has chosen in Florence for month working on the script with Carl Zuckmayer. Story is not quite finished, and Toeplitz will have to do more work on it, either in London or Florence, before he sails, because he wants to bring it to America in complete shape. Tale is partly based on a play by Alexander Dumas.

Kurt Bernhardt will direct the film, but Toeplitz, while in America, wants to talk to Ernst Lubitch.

## Mandelstamm's Crash

Paris, Feb. 1.

Valentin Mandelstamm is due back in Paris Monday (4) with his leg in a plaster cast, to take up residence in a local hospital. Result of an automobile accident at Bayonne, near Franco-Spanish border, in which Mandelstamm's niece was killed, his Banjo dog was hurt and he himself suffered a broken leg.

Mandelstamm was on his way to Portugal to meet Richard Bennett, driving a Studebaker roadster with Hollywood license plates. Car skidded.

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Fasquelle's Chance

Leading candidate to get hold of the Gaumont remains is a group headed by Charles Fasquelle, scion of French capitalist family, in association with the Thomson-Houston Company, big local equipment manufacturers. Fasquelle is himself a book publisher, but has extensive interests. Exportation of films to America, for national propaganda purposes, is one of his big ideas.

Besides Metro and Fasquelle, three other bids were before the committee—those of the bankers, Daniel Dreyfus and Mathieu Goudchaux; of the Worms-Michel combination, owners of the Eclair-Journal newswire, the local correspondents of Hearst Metrotone, and a group of textile magnates from the north of France. Of these three only the Dreyfus-Goudchaux bid is considered interesting.

Purely banking control of G.F.F.A. is frowned on, however, since bankers up to the present have been unable to do anything to keep the business going. That leaves Fasquelle pretty much alone.

Government Angle

Another alternative was considered by the committee, that of government ownership. This was advocated at the outset of the meeting by Deputy Louis Aubert, one of the pioneer founders of the chain.

An active campaign against it, however, had been previously conducted by trade interests, led by propagandists for the Fasquelle group. Committee turned it down, voting against the taking over of the chain.

French government now has a stake of more than \$17,733,000 in the bankrupt G.F.F.A. concern, representing the financial support given when the Banque Nationale de Credit, backer of the merger of Gaumont with Franco-Film and Aubert, passed out of the picture.

A report submitted to the committee by General Targe was considered incomplete in its study of the financial condition of G.F.F.A., and its recommendations for putting the company back on its feet were rejected.

## Yank Pix in Madrid

Madrid, Jan. 31.

American pix led the field in Madrid show houses to start the year. Lineup for 43 theatres is: 19 American, nine German, six French, two Spanish, two English, two Mexican and one Spanish film of foreign origin.

NL - LOS ANGELES CALIF

MAJOR L E THOMPSON  
RKO BLDG

DEAR MAJOR AT THE INVITATION OF ME  
MCDONOUGH CHARLIE AND MYSELF IN CO  
SAW ROBERTA AT THE RKO STUDIO TODA  
EXCEPTION WAS GREATLY ENTHUSED AND  
ATTRACTION IS SUPERB FROM A STANDP  
STOP ROGERS ASTAIRE AND IRENE DUNN  
AND YOU CAN TAKE OUR WORD FOR IT T  
SENSATIONAL BUSINESS AT THE BOX OF

THREE OF THE NATION'S FAVORITES


**IRENE DUNNE**

The Golden Girl with the Silver Song

**FRED ASTAIRE**

**GINGER ROGERS**

America's Dancing Stars



**ROB**



FEB 7 1935 2 45

SSRS AYLESWORTH KAHANE DEFINET AND  
 MPANY WITH OUR DIVISION MANAGERS  
 Y STOP EVERYONE WITHOUT A SINGLE  
 UNANIMOUSLY AGREED THAT THE  
 OINT OF DIRECTION AND PRODUCTION  
 E GIVE OUTSTANDING PERFORMANCES  
 HAT THE PICTURE WILL DO A  
 FICE REGARDS

SPYROS P SKOURAS


**ERTA**

YOU'LL NEVER FORGET  
 THESE TEASING TUNES  
 'I'll Be Hard To Handle' (S. G.)  
 'Get In Your Eyes' 'Let's Beguine'  
 'I Won't Dance' 'Lovely To Look  
 At' 'Yesterday'

in

JEROME KERN'S dazzling stage  
 success!... a heart-load of romance  
 in Paris at love time!... A lifetime  
 of laughter!... a world of joy!...  
 a riot of rhythm!... a screenful of  
 dancing!... a feast of ravishing  
 fashions, modeled by maddening  
 mannequins!

with RANDOLPH SCOTT,  
 HELEN WESTLEY, VICTOR  
 VARCONI, CLAIRE DODD  
 From the play "Roberta" Book and lyrics  
 by Otto Harbach Directed by WILLIAM  
 A. SEITZ A. PANDRO S. BERMAN  
 PRODUCTION

EXCO-RADIO  
 PICTURE









AT THE  
ROXY

.....rocking  
every rafter  
with laughter

A  PRODUCTION

PHYSICAL DISTRIBUTION • FOX EXCHANGES • CANADA, REGAL FILMS, LTD.



# JACK HULBERT's

WHIMSICAL • COMICAL • NAUTICAL • MUSICAL

# JACK AHOY

# BEHIND the KEYS

**Springfield, O.**  
Kroger Babb, former newspaperman in Lima and Wilmington, O., has been added to the Chakera-Warner Theatres staff as publicity director.

**Philadelphia.**  
Douglas F. George, back with Warner Philly zone, this time as manager of the Parker theatre, Darby, Pa.

**Bronx, N. Y.**  
Sam Yellen named general manager of the Left-Meyers Circuit Theatres. Replaced by Abe Ludacer as manager of the De Luxe theatre. Willis theatre dark again, after ineffectual try by the Consolidated Amusement Enterprises with vaude and pictures.

**Denver.**  
Pace theatre at Gordon, Neb., sold by Jas. Pace of Chakera, Neb., to the Black Hills Amusement company. Wayne Reeves succeeds Clayton G. Wright as treasurer at the Denham theatre.

**Dallas.**  
John T. Moore took over Interstate's Old Mill in Dallas last week. Succeeds Jimmie Allard, who goes to Radio in America, succeeding John R. McIlhennan, who died Jan. 28.

**Providence.**  
Howard Burkhardt now manager of Low's State Theatre in this city, relieving Harold H. Maloney, on sick leave.

**Pittsburgh.**  
Gene Murphy has been sent here by Warner from New York to relieve Mike Cullen, manager, of publicity duties at the Penn. Resumption of staid policy and subsequent increase in activity responsible for the move.

**Baltimore.**  
Auditorium, former legit site, has been leased by Matty Radin from Penn-Mutual Company. Reopened by Radin last Friday (8) as an arty pic spot, grind, at pop prices. Al Tamarkin is being sent down from New York to manage. Frank Durkee-Enterprises will break ground this week for erection of a 1,600-seat northside stable.

**San Diego, Cal.**  
James O'Toole new manager of the Plaza (F-WC) here, replacing J. O. Lamont, transferred to Palace, Long Beach.

**Charlotte, N. C.**  
H. D. Blumenthal and associates have petitioned the Charlotte city council for a permit to operate a negro theatre in a business section of the city. The matter is the heart of Charlotte. A storm of protest followed, and a lengthy hearing. The matter has not been acted on. Feb. 18 has been set as opening date for the rebuilt Imperial theatre here, destroyed by fire three years ago.

Construction co. has been given the contract to erect the new Fox Fox company building here on "film row."

**Lincoln.**  
Fred Halton, formerly the operator of the Auditorium, Hastings, Neb., has opened the Island, Grand Island, Neb., which is the fourth picture house in that town. Sherman Meland sold his Butte, Neb., Opera House, pic spot, to J. M. Fuller.

**Omaha.**  
George Bickford manager of the Paramount theatre. District manager Evert Cummings, Blank-Tri-State chief, has announced prices for the reopening presentation of vaude and films will be at a 40c. top, lowest Omaha has seen flesh for years.

**Grove City, Pa.**  
Grove City's newest movie house, the Kayton, was formally opened Feb. 1.

**Meadville, Pa.**  
Charles Freeman, formerly of Freeman & Newman, operators of the Penn. theatres here, has taken over the Victor theatre here from Dave Victor. Mr. Victor is retaining the Victor theatre in New Castle.

**East Liverpool, O.**  
Reichblum Theatres, Inc., operating in several theatres here in western Pennsylvania and West Virginia cities, has taken over the West End theatre at Uniontown, Pa.

**Providence.**  
Thomas J. Meenan, for many years associated with various theatrical enterprises in Massachusetts and Rhode Island, has taken over the Rialto-Albany theatre here and will leave the show-business to give lectures in Providence and nearby.

**Montgomery, Ala.**  
Roger Butler, former assistant manager at Bama theatre in Tusca-  
loosa, manager of Strand here, succeeding C. E. Kenner.

**Merced, Pa.**  
The Liberty theatre here has been transferred by John Lang to J. A. Blatt.

**Springfield, O.**  
Three Chakera-Warner organization men have new jobs as a result of a personnel shake-up here. Lee Euring, former assistant at the Regent, has been advanced to manager at the Hippodrome. Taking Euring's place at the Regent is Lou Harris, formerly assistant at the Fairbanks.

Gene Kearns, chief usher at the Fairbanks, advanced to assistant manager at that house.

**Montgomery, Ala.**  
William Wolfson, city manager for the R. B. Wilby theatres, announced the appointment of Roger Butler, who succeeds C. E. Kenner, as manager of Strand. Kenner moves to Paramount as assistant manager, succeeding S. E. Sanderson.

Following a stay of four weeks, Galvin Stock company closed at Grand theatre. Poor business the reason.

**Fairfield, Ia.**  
Grand and Iowa theatres changed hands here the first of the month. Mrs. C. S. Hoffman taking over management of the two houses.

**Lincoln.**  
Prices moved up a little here with the Lincoln and Orpheum theatres. J. H. Cooper spots, took off the ordinary matinee leeway and presented a 10c. raise over the afternoon tariff of the past. Move is presumably in competition with the L. Dent Variety which is an all-day two-bitter.

**St. Paul.**  
Verne Cummings moves over from the Granada, Minneapolis, to take the reins at the suburban Uptown, replacing Abe Sunberg, who's gone east for publicity. Bill Souzy remains under Cummings.

Bob Rydeen, who up and left the local Garrick for a theatre trip to Hollywood with his family for a rest, has mixed the Coast jaunt and is back at the old stand following a two-month layoff.

Ed Benji goes in at the Capitol, Madison (Wis.), replacing Charlie Perry, who moves on to Detroit.

**Los Angeles.**  
Orange Grove, subsequent run pic house on Grand ave., is temporarily shuttered, with owners hoping to reopen soon.

Belmont, Fox West Coast nabe, is being decorated with a new type of marquee.

New Los Felis in Hollywood opens Feb. 14 as subsequent run pic house. Herman Lewis is operator.

**Grafton, Vt.**  
The New Dixie theatre (a remodelled house) opened with Will Rogers as Judge Priest.

**Canton, O.**  
Adolph Buehrig, Jr., for the past year in vaudeville and zoning board, the theatre here, has gone to Boston to become manager of Loew's State theatre here.

**Meadville, Pa.**  
Charles Freeman of the New Castle has been named manager of the Victor theatre here, replacing P. J. Cohen.

**Birmingham.**  
Lyceum, Memphis, may be reopened by Charles Mensing, formerly manager of the Orpheum. Musical road shows and dramatic stock.

**Jackson, Miss.**  
R. W. Tyson, manager of the Crown, has obtained a permit to build a new independent house at 223 West Capitol street seating 300 at a cost of \$4,600.

**Oklahoma City.**  
Don C. Douglas, secretary of the Film Exchange and zoning board, at Dallas, resigned Feb. 2 to be connected with the Robb & Rowley circuit, handling special and utility assignments. Miss Bonnie Long, present secretary of the film board, has been recommended to succeed Douglas as code secretary.

Robbers blew the safe of the Alibi Film Exchange and took \$25,000. Also looted the safe of Columbia Pictures Co. next door, and extracted about \$100 in currency.

**New Haven.**  
In a hop, skip and jump transaction, Harry Black finally settled down as mgr. of local Pol's. Originally at Glens Falls, N. Y., Rialto, Black stepped into Loew's State, Providence. After one day, a new

switch brought Black here and shifted Howard Burkhardt from local Pol's to the Providence house.

**Los Angeles.**  
Dick Pritchard, formerly of Fox-West Coast, bows out of Columbia pictures to manage Bay theatre, Green Bay, Wis. One of the new Standard chain bosses by L. F. Grau.

**South Bend.**  
Receivership for the Seville Theatre Corp., operating the Granada (Independent) is asked in a suit by Steven J. Karas, president of the corporation. Creditors are threatening attachment of the theatre property. Granada, 5100 east house, has been closed several times since it was first opened by the RKO circuit about 1929. Seville and Seville reopened as a home-owned theatre by Seville Corporation. Dark since Jan. 1.

**Los Angeles.**  
Harry Marx, formerly with Paramount-Public operation, now managing the Westlake here for Fox-West Coast.

**Lynchburg, Feb. 4.**  
Due to nervous breakdown, Oliver Accorini has been temporarily replaced as manager of Warner's Trenton by Charles K. Eagle, former manager of Radio, Philadelphia. Eagle assigned to Lynchburg for thirteen weeks while Accorini has that much leave of absence.

**Newark.**  
Walter Jacobs has returned to Warner's as manager of the Plaza house, Passaic, replacing Sam Braverman, resigned.

**Galveston.**  
Construction of first of four suburban theatres by the Interstate-Horowitz theatre partnership at Houston will begin on Feb. 15. This is the second Houston theatre to be built by the Horowitz-Hobbitzels combination.

**Seattle.**  
With Herb Sobotta's transfer by Evergreen Theatres from Billseum to Fifth Avenue other changes follow: Ron Harrington to be assistant to Frank Newman, J. Paramount theatre Portland; Bob Moore from that post to mgr. of American, Bellingham; Bob Monaghan from American to Mount Baker, Bellingham; Jack Rosenberg from Mount Baker to mgr. of Coliseum, Seattle; Mike Leidy, from door at Paramount, Seattle to assistant to Jack Rosenberg.

**Bronx, N. Y.**  
Charles Garfield has resigned as manager of the Desert theatre to take a similar post at the Prospect now playing straight pictures. Sheldon Mandel remains at the Prospect under Garfield.

**Indianapolis.**  
Bill Fierstod out as assistant manager of Apollo being replaced by former doorman, Clyde Willard. Louie Golden, former owner of the now bankrupt Capitol, opens grind house called Golden's Tower.

**Atlanta, Ga.**  
Roy M. Avey succeeds Jimmy Hanlon, deceased, as manager of the Atlanta branch of M-G-M.

A. C. Cowles has been named booker and office manager for Tri-State Theatres, replacing Jack E. Cowles, who resigned. Cowles formerly feature booker for Vitaphone.

**Reading.**  
Estate of Edward E. Rhoads, who died last year, lost two lawsuits in civil court here on claims presented by a bank, as a trustee, for interest parties. Claims totaled \$30,683. Rhoads was president and general manager of the Carsonia Park Co., a big amusement resort in the city's suburbs.

**Lincoln.**  
Kiva, one of the two Westland spots (L. L. Dent), a 100-seater was booked to shut the doors for good Saturday (19), but instead will continue to operate indefinitely, according to Milton Overman, city manager.

Kearney, Neb.'s World as the target for the first patron suit on account of banker's night, when Mitchell Bolus filed against it for \$25. It is similarly town left in the plaintiff did not declare himself the holder of the winning ticket in the allotted 25 minutes. The pot was piled up to \$150.

**Lincoln.**  
This spot going so strong for Sunday shows last summer after a heated campaign gave another Nebraska shot the bug, hence last week the citizens of Beatrice, Neb., a 12,000 town, started circulating petitions to bring the question to a vote. It is a 100-seater town left in the state with more than 3,000 population to have the Sunday ban. If the correct number of names can be secured, the question of whether election will be called to decide the question. Only six towns in Nebraska equipped for sound are still under the six-day bugbait.

## MONTH'S PRODUCTION ACTIVITY

Major Companies	Pictures Working	Pictures Started	Pictures Completed
Paramount	15	8	6
Metro	8	4	3
Fox	7	4	3
Warner	11	6	3
Radio	9	5	4
Columbia	6	3	3
Twentieth Century	4	2	1
Universal	5	4	1
Major Independents			
For National Release			
Samuel Goldwyn	1		
Pioneer	1		
Charles Chaplin	1		
Walter Wanger	1		
Hal Roach	1	1	
Independents for State Right Release			
Monogram			
Liberty	1	1	1
Majestic	1	1	1
Mascot	1 (a)	1	
Argosy-Aywon	1		1
Futur-Kimball	1	1	1
Peerless	1	1	1
Select	1	1	1
Chadwyck	1 (a)	1	1
Chesterfield	1	1	1
Beacon	1	1	1

(a) Serial

## February Production Survey

The first month of 1935 found practically all of the major lots at peak or near-peak capacity.

Paramount, with 15 features in work during January, led the parade and was so jammed for stage space that starting dates on other pictures had to be set back.

Warner also carried at top production with 11 features going during the period, and Radio and Metro were close behind with nine each. Outlook for February indicates that total production of the majors will be stepped up by about 15 features over January.

Activity among the independents was slack, due mostly to heavy run of unsettled weather during January which had the indies putting back starting dates of many westerns and outdoor features until the rain and fog conditions passed. Another factor keeping down total of independent features was the inactivity of Monogram for the month.

### 34 FEATURES COMPLETED IN JAN., 1935.

**Paramount**  
"The Devil Is a Woman"—Dietrich.  
"Ruggles of Red Gap"—Chas. Laughton, Mary Boland, Charles Ruggles.  
"All the King's Horses"—Carl Brisson, Mary Ellis.  
"Mississippi"—Bing Crosby, W. C. Fields, Joan Bennett.  
"Love in Bloom"—Burns and Allen, Joe Morrison.  
"Car 99"—Sir Guy Standing, Fred McMurtry.  
**Metro**  
"Vanessa: Her Love Story"—Helen Hayes, Robt. Montgomery.  
"West Point of the Air"—Wallace Beery, Robt. Young, Lewis Stone.  
"Shadow of Doubt"—Virginia Bruce, Ricardo Cortez, Constance Collier.

**Fox**  
"Little Colonel"—Shirley Temple.  
"Life Begins at 40"—Will Rogers.  
"Dante's Inferno"—Spencer Tracy, Claire Trevor.  
**Warner Bros.**  
"King of the Ritz"—William Gargan, Patricia Ellis.  
"Wanderlust"—Aline McMahon, Guy Kibbe.  
"Go Into Your Dance"—Al Jolson, Ruby Keeler.  
"Caliente"—Dolores del Rio, Pat O'Brien.  
"Florentine Dagger"—Donald Woods, Margaret Lindsay.

**Radio**  
"Roberts"—Irene Dunne, Fred Astaire, Ginger Rogers.  
"Murder on a Honeymoon"—Edna Mae Oliver, James Gleason.  
"Captain Hurricane"—Charles Barton, Helen Mack, Helen Westley.  
"Dogs of Flinders"—Frankie Thomas.  
**Columbia**  
"Death Flies East"—Conrad Nagel, Florence Rice.  
"Mad Love"—Matinguette, Allan Harvey, Paul Carmichael.  
"Devil's Cargo"—Wallace Ford, Marian Marsh.

**20th Century**  
"Folies Bergere"—Maurice Chevalier, Merle Oberon.  
**Universal**  
"Transient Lady"—Gene Raymond, Henry Hull, Frances Drake.  
**Independents for State Right Release**  
"Liberty"—Dizzy Dames, Marjorie Rameau, Lawrence Gray.  
"Misses 'Mutiny Ahead'—Neil Hamilton, Kathleen Burke.  
"Argosy-Aywon"—Borden Jones—Bill Cody.  
"Futur-Kimball"—Hong Kong Nights—Tom Keene.  
"Peerless"—On Probation—Monte Blue.  
"Select"—Go Get It Haines—Bill Boyd, Sheila Terry.  
"Chesterfield"—A Shot in the Dark—William Starrett, Robt. Warwick.  
"Beacon"—Mystery Ranch—Big Boy Williams.

## WB's Shows

(Continued from page 3)  
last season, but that, too, was an exception since Paramount owned the screen rights prior to production having made a special arrangement with the sanction of the Dramatists Guild prior to production. Guild at that time made an exception because of the fact that producer-claimed show could not be put on, he having been unable to get production coin elsewhere, unless Paramount money was accepted.

Warners says it isn't interested in the argument, its deal being above board all-around. Claims it doesn't even know whether it wants the film rights to the two shows in advance. Streimer return from a recuperative vacation the end of this week.

### STREIMER'S AIDE, BYER

Nat Byer has been named assistant to Moe Streimer, district manager of the New York exchange for United Artists, who has been in ill health recently. It was because of the company's desire to lighten his duties as manager that UA gave Streimer an assistant.



By Epes W. Sargent

## Miniatures

to the limit around the country will assist in advertising San Diego and next year's exposition to be held there.

# HERE THEY ARE...

right from the pages of Harry Leon Wilson's famous book  
... the first citizens of Red Gap, where they wore red  
flannels, drank "red-eye," and ate red meat...

Ruggles entered, wearing spats! A great  
story... a grand, human motion picture  
with a cast that's a stroke of genius!

## MARY BOLAND

as Effie Froud

She'd fight a rattlesnake  
and give it the first two  
bites... of Hubby Egbert!

## CHARLIE RUGGLES

as Egbert Froud

The horseplay boy of Red  
Gap who won Ruggles  
in a Paris poker game!

## ZASU PITTS

as Mrs. Judson

A lonesome widow who  
feared Ruggles was a gentle-  
man—and hoped he wasn't!

## ROLAND YOUNG

as Honorable George

The blighter who gambled  
Ruggles away and gave Red  
Gap the bulge on London!

## LEILA HYAMS

as Nell Kenner

She ran the place  
that made Red Gap  
run a temperature!

## MAUDE EBURNE

as Ma Pettingill

A rough old gal with  
some racy young notions!

## CHARLES LAUGHTON

as

"Ruggles" delivers an astounding  
performance... the picture is great  
... entertainment for one and all!"  
—Hollywood Reporter

# "RUGGLES OF RED GAP"

CHARLES LAUGHTON, MARY BOLAND, CHARLIE RUGGLES, ZASU PITTS

ROLAND YOUNG, LEILA HYAMS . . . A Paramount Picture . . . Directed by LEO McCAREY

# MOB'S DAILY AVERAGE \$9

## 219,857 Pay Checks to Extras

Distributed as follows in 1934.

PLACEMENTS	SIZE OF CHECK	GROUP GROSS
4,751	\$3.00	\$14,253.00
1,839	2.20	5,884.80
29,785	5.00	148,925.00
48,150	7.50	861,125.00
118	5.33	6,313.94
38,135	10.00	381,350.00
327	12.50	10,337.50
13,146	15.00	197,190.00
137,451 Men		\$1,125,879.24

### Women Placements

NUMBER	PRICE	TOTAL
2,406	\$3.00	\$7,218.00
313	3.20	1,001.60
18,404	5.00	92,020.00
20,982	7.50	157,365.00
3,647	8.33	30,373.51
18,577	10.00	185,770.00
229	12.50	2,862.50
8,658	15.00	129,870.00
73,216		\$606,486.61

### Placements of Boys

NUMBER	PRICE	TOTAL
4	\$3.20	\$12.80
2,484	5.00	12,420.00
2,227	7.50	16,702.50
186	10.00	1,860.00
5	12.50	62.50
37	15.00	555.00
4,943		\$31,612.80

### Placements of Girls

NUMBER	PRICE	TOTAL
1,445	\$3.20	\$4,624.00
2,213	5.00	11,065.00
174	7.00	1,218.00
2	10.00	20.00
9	12.50	112.50
4,217	15.00	63,255.00
		\$77,735.30

## How the Mob Worked

(Nine year summary of Central Casting Bureau Business)

	YEARLY GROSS	DAILY AVERAGE
	Payroll	Jobs
1926	\$2,195,395	259,259
1927	2,838,136	330,397
1928	2,489,711	276,155
1929	2,401,429	282,958
1930	2,460,012	282,446
1931	1,766,479	189,589
1932	1,855,778	214,584
1933	2,048,512.44	251,914
1934	1,984,697.54	219,857
Total	\$20,020,134.98	2,287,159
Average	\$2,224,459.43	250,797

### Extras Board Resumes Grief Hearings, Listing

Hollywood, Feb. 11. Code Extra Committee swings into action with meetings slated this week on reregistration and complaints.

Extra group has been inactive due to illness of its chairman, Mrs. Mabel Kinney.

**Ontario Bans Hauptmann Newsreel Clips in Toto**

Toronto, Feb. 11. Claiming the clips were "too crude," Ontario board of censors clamped a ban on the current Hauptmann trial footage and no hope of appeal is held out. Meant a hurried revised make-up of continuities on part of the five newsreel purveyors. Theatre ads missing from noon editions indicated revision here, too.

Censor board has been particularly harsh during past fortnight on Hauptmann trial scenes, yanking whole sequences. Prints for Toronto distribution were rushed to Montreal to meet increased demands there.

### OLYMPIA REORG.

Approval for Final Setup—Referee Makes Minor Changes

With minor changes one of the steps taken by the Paramount trustees looking toward final reorganization of Olympia Theatres, Inc. and Olympia Operating Co., main subsidiaries in New England, in bankruptcy, has been approved.

Referee-Joyce recommended small changes but did not change the plan otherwise, which calls for allowance of an Olympia claim of \$1,824,562 along with that of general creditors and the payment by the Par trustees additionally of \$50,000 in cash.

The \$1,824,562 claim covers the amount of money due from Par under the original purchase agreement to take over Olympia theatres under a deal in 1925. Par still owing this amount on going into bankruptcy.

**ADDING TO 'PVT. WORLD'S'**

Hollywood, Feb. 11. Walter Wanger has delayed his departure for New York to put added scenes into "Private Worlds."

He is due to go east for confabs with Paramount home office on release of the film.

## CODE IPS EXTRAS AS CALLS DROP

Heavy Studio Demand for Dressers Spotted 21,850 in '34 at \$15 Rate—Six Men Topped \$2,500 for Year—Five Women in \$2,000 Class

### LIST OFF 25%

Hollywood, Feb. 11. Though the placements for 1934 were considerably less than those of any year, excepting 1931—since the establishment of the Central Casting Corp in 1926—the average daily wage was in excess of those of any year but the peaks, 1931 and 1931, with the take by the extra player being \$9.03 per day for the year.

This high average was due to the fact that the Extra code became effective during the year and that the studios went heavy on dress people, who drew the \$15 check besides paying overtime to the extra and mob people.

There were 21,850 placed at the \$15 rate against 5,013 in 1933. Majority of the top checks went to men, as there were 13,146 of the \$15 placements in the male class who drew down \$197,190 to the 6,558 females who were paid a total of \$129,870.

So-called registration also of some 17,000 of the code—less than 25% of that amount; due to the fact that when the talkers came in anyone who sang, danced, mimicked or knew languages was registered for future references. But with pictures going along in cycles that did not require such an abundance of talent, today the central offices have hardly 4,000 names to verify correctly should they be called upon to check their lists for atmospheric picture talent.

The gross placements of the year were 219,857 against 251,914 for 1933. With the central office paid at \$2,048,512.44, while last year the disbursements were only \$1,984,697.54.

### New Check Takes Bow

The Extra code during the year changed the \$3 check to \$3.20 and also brought in new check of \$3.33 a day, which was placed between the \$7.50 and \$10 tickets.

The office had a rather turbulent year with the new code conditions, and Sept. 11 Day, when, who had been its head since its inception, turned the post over to Campbell MacCulloch, the incumbent.

Helpful to the earnings of the extras, though, the code, was the fact that the \$15 and \$2 a day checks of 1933 were eliminated entirely. Most of the people who drew those checks were children and mob and backup, but with the Code Extra committee functioning these placements were entirely eliminated.

Top take of the year for individual males was Oliver Cross, who drew \$2,542.75 for 165 days of dress work. Others who drew \$2,500 on the year or more were Larry Steers, \$2,553.15 for 191 days; Bill Beggs, \$2,661.35 for 193 days; Red Berger, \$2,557.25 for 174 days; Harvold Whitelaw, \$2,548.75 for 177 days; and King Mojave, \$2,508.75 for 136 days.

**Five in 2G Class**

Women, on the other hand, did not fare so well in earning power as the men, as there were only five who drew more than \$2,000 on the year. Group is headed by Gale Ronn, who was given \$2,401.25 for 167 days; with Gailah Christman, runner-up, getting \$2,307.50 for 148 days. Then came Jane Turner, who collected \$2,132.50 for 153 days; Suzanne Rhodes, \$2,120.75 for 153 days; and Rebecca Watson, \$2,040 for 145 days of work during the year.

Red Berger heads the male group that worked four days a week, with

## Despite Theatre Skepticism On Old Lace and Pre-Gasoline Films, 29 Due in Next 6 Mths.

Eric Pettit coming next by putting in 221 days for a total of \$1,700.30, with Hans Moebius next, working 211 days and getting \$2,179.55 for his time. Audrey Blair, whose record was kept for four months, is also in this class, showing 70 days to gross earnings of \$37.45.

The woman who worked the five-day average was Wanda Sibblid, whose record was kept for one month, three months, showing earnings of \$363.75 for a 60-day period. In the four and one-half day division the work went to Florence Cherry, whose record was kept for three months, during which time she put in 107 days to earn \$456.25. On the other hand, Madeline Kane, showing a three and one-half day a week average, worked 207 days and drew down \$1,222.05. Her record is tops for days' work on the year in this division.

On the year in the male section there were 4,751 placements at \$3 a day, with total earnings being \$14,253. Getting \$3.20 checks were 1,839, who drew a total of \$5,884.80. Drawing \$5-a-day checks were 29,785 men, who garnered \$148,925.00. The \$7.50-a-day rate was 48,150, placements, which were the tops in the male section.

### Few Draw Down \$12.50

Placed at \$8.33 were 313 men, who were paid \$1,001.64. Drawing checks for \$10 a day were 38,135, who got slips totaling \$381,350. Considerably smaller were those in the \$12.50-a-day section, as only 327 were employed and their earnings amounted to \$10,337.50. In the \$15 class there were 13,146 placed to take a total of \$197,190. A total of \$1,125,879.24 was paid the men during the year. The total number of placements in this division was 440 daily.

In the woman's division 2,406 drew \$3 a day, collecting a total of \$7,218; at the \$3.20 rate, 313—were paid \$1,001.64. In the \$5 section they were more in demand, as 18,404 placements were made to a gross payment of \$92,020.

The \$7.50-a-day checks were tops for women, as 20,982 landed work to a take of \$157,365. There were 3,647 who got \$8.33 checks to aggregate \$30,373.51. Checks of the \$10 class were not so high either, as 18,577 were paid out to make a total of \$185,770, which was the biggest outlay in the women's division.

About 3% of total placements of women were made at the \$12.50-a-day figure, 223 getting work to earn \$2,862.50. For the \$15-a-day check placements were made of 8,658, who drew \$129,870. A grand total of \$606,486.61 the women who drew daily placement average was 235.

In the boys' division lowest salary paid was \$3.20 per diem, with 4 placed at that figure to earn \$12.80. Top placements in this group were made at the \$5 outlay, with 2,484 placements being made to a gross expenditure of \$12,420. In the \$7.50-a-day class, 2,227 jobs were given at an outlay of \$16,702.50, which was tops for boys. Getting \$10 a day were 186, who drew \$1,860, while live got the \$12.50-a-day pay to the tune of \$62.50. In the \$15 class 37 were placed and drew down a total of \$555. Total outlay for boys was \$4,943 on the year.

Only four girls landed the \$3.20-a-day checks for a total of \$12.80. Drawing \$5 a day were 174 girls, who garnered \$1,710, while only two got \$12.50 checks amounting to \$25, and nine earned \$15 checks that totaled \$135. The total earnings in this division were \$27,735.30.

The average of daily placements for children, male and female, on the year were 20. There were 1,634

Hollywood, Feb. 11. Despite that the theatre end may feel the edge is off historical and biographical film stories, Hollywood is well into a cycle of costume pleasures, 13 having been released in the past three months and 29 being scheduled for production within the next six months. For years producers were convinced that the public would not accept bustles and baskings, but "Little Women" changed that opinion. "Henry VIII," the British picture, is also credited with having started this cycle, while the church campaign pushed along.

In proportion to their entire output, United Artists has the top number of dated pictures on its list. With its possible 24 features coming out of the studio, nine are costumed. Reliance's "Monte Cristo," Goldwyn's "Nana" and "Today We Live" and 20th Century's "Barnum" and "Clive" have already been released. Still to be made or released are "Les Misérables," "Richard," "Barbary Coast" and "Death Valley." All are out and out costumers or stories of the maitre decade. Also releasing "Don Juan" and "Scarlet Pimpernel," both made in England.

Metro with "The Night is Young," "David Copperfield" and "Barrett's" released, has scheduled for production or ready for release "Naughty Marietta," "Mutiny on the Bounty," "Marie Antoinette," "Cecil Rhodes," "Pale of Two Cities" and "Frisco." Paramount has quota includes "Crusader," "Caprice Espagnole," "All the King's Horses," "Ruggles of Red Gap" and "Mississippi." Mae West goes contemporaneous in "Now I'm a Lady," but her last release, "Belie of the Nineties" was a ruffia affair.

Fox, finding that Will Rogers was most acceptable when in pictures written around the buggy era will keep him in films of earlier American activities. "County Chairman" and "Forchbacher" are both pre-gasoline operas. Other Fox dated pictures are "Little Colonel," "Farmer Takes a Wife" and "In Old Kentucky."

At Universal, "Great Expectations" is released, but the program includes "Bride of Frankenstein," "Mystery of Edwin Drood," "Diamond Jim," "Werewolf of London," "The Raven" and "Sisters' Gossip."

Radio has, but two costumers on the program, "Laddie" and "Becky Sharp," Warners, which recently released "Sweet Adeline" has "Captain Blood" and "Anthony Adverse."

Despite the theatre idea that costume or dated pictures are easing off at the boxoffice, studios apparently feel that the public will continue to patronize them.

However, if there's a difference of opinion between the studios and the theatre men on this type of film, there may be a question of how many of these pictures will actually be made.

### Negroes' 7-Year Take

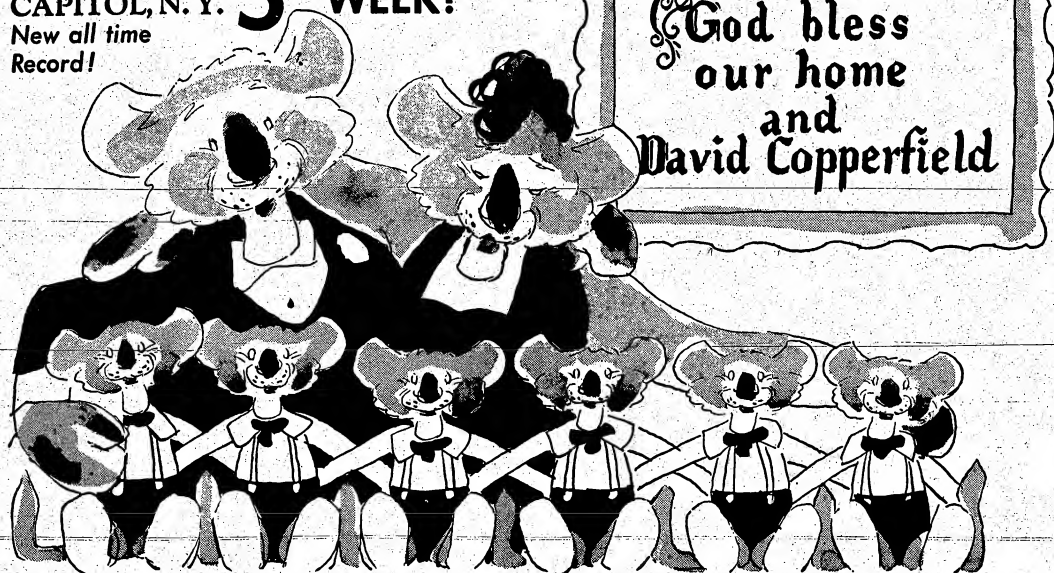
Colored extras have earned more than \$450,000 in the last seven years from major companies.

Report shows that 5,024 colored atmosphere people played in pictures in 1934 and received \$36,142 in salary. Top salary of \$15 a day, calling for the wearing of dress clothes, was earned by 35 players and the average of the average of the colored extras during the year was \$7.13. About 16% of those employed were paid \$5 a day.

Less placements in this point section on the year than there were in 1933. An average of 64 daily interviews were given during the year to news applicants, against 44 for 1933. However, if there's a difference of opinion about call cancellations, which average 17 daily, against 13 of the previous year.



EXTRA! AS WE GO TO PRESS!  
**COPPERFIELD**  
 HELD OVER  
 CAPITOL, N. Y. **5<sup>th</sup>** WEEK!  
 New all time  
 Record!



# WE DID IT FOR THE WIFE AND KIDDIES!

—Yours and ours!

**EXTRA** playing time for  
**DAVID** Copperfield!  
**WE** urged it—  
**YOU** did it!  
**THERE** is no comparison  
**IN** all of picture history  
**FOR** the  
**BUILDING** power and  
**WORD**-of-mouth stimulation  
**OF** this greatest of all  
**HOLD**-over pictures!

## IF YOU LIKE FIGURES take a look at this!

### \*OUT OF FIRST 13 COPPERFIELD ENGAGEMENTS:

Monday beat the opening day, Friday, in 3 cases. Tuesday beat the opening day, Friday, in 9 cases. Wednesday beat the opening day, Friday, in 10 cases. Thursday beat the opening day, Friday, in 11 cases. **THE LAST DAY OF THE FIRST WEEK BEAT THE OPENING DAY IN 11 OUT OF 13 CASES!**

\*In Louisville "Copperfield" started out doing 92% of top business. By the end of 11th day it was doing 27% better than top. In 11 days it had built more than 35% over best previous grossers.

\*In Hartford it started at 76% of top business in its first three days, and by the end-of the 11th day it had done 112% of top business.

\*At random, a few out of many spots where "Copperfield" is upsetting all previous conceptions of building power and still going strong: El Paso, Minneapolis, St. Paul, Richmond, Nashville, Reading, Atlanta, Norfolk, Boston, etc.

\*Capitol, N. Y. in its 4th big week. Total for first three weeks biggest since "Smilin' Through," and almost equals it. The 20th day (Wednesday) beats opening day (Friday).

**\*EXTRA DAYS! EXTRA PAY DAYS! DON'T REGRET LATER! GET MORE PLAYING TIME NOW!**

# MIDWEST'S FACE LIFTING

## Inside Stuff—Pictures

Despite the recent Philly decision okaying dual, strong competition from cut-rate 2-for-1's in several principal Pennsylvania spots has been withstood by major circuit operators because other circuits in the city have stood pat with them in maintaining the old price levels. In some instances, leading houses even though not circuit-operated, have cooperated with principal theatres in these communities in keeping old admission prices despite the undercutting by new fly-by-night operators. These last-named exhibitors, taking bids and run down property, have offered double and in some instances triple feature programs for as low as 10c. Calibre of the pictures plus bad surroundings has forced some of these to close even in face of the fact that the circuit theatres have held to their old admission prices.

Disposal of two anti-trust actions under the Paramount bankruptcy remains doubtful as a result of an opinion Thursday afternoon (?) in which Referee Joyce indicated that litigants suing Par under restraint of trade regulations would have to prove damages. The opinion to lawyers was considered highly involved and technical.

Par trustees had proposed a settlement of the E. M. Loew restraint of trade suit brought several years ago for \$50,000, but in the other, the Mondak case, they objected to any allowance of the claim filed A. B. Mondak also sued for \$50,000. Par trustees offered Loew, an indie circuit in New England, a settlement of its claim for \$50,000 which had been refused. Thereupon, trustees sought disavowal of claim.

Actual price paid for 'Accent on Youth' by Paramount is nearer \$50,000 than the \$60,000 reported. Understood that Metro tilted its bid to \$75,000 before it was known that Par had secured the rights. Samson Raphaelson, who authored the comedy, is due also to make the adaptation for the screen and insert material not in the stage version. Par will make 'Youth' into a feature to be released 30 days after the stage show's Broadway run ends.

Idea of forming a second company for Chicago with a picture name in the lead has been shelved for the time being. 'Youth' continues to climb at the Plymouth theatre, N. Y., last week's gross approximating \$11,000.

Maurice Silverstone, g.m. for United Artists in Great Britain, has just sent over to Eddie Cantor a complete press book of the amount of space the comedian garnered in England and on the Continent during his recent sojourn with his family abroad. Cantor went over on a 100% pleasure jaunt, taking only US \$25,000—bailiwick—spending a \$25,000 bonus given him by Sam Goldwyn.

The publicity and attention accorded Cantor was unusual. Cantor's arrival in any of the European capitals and metropolises he visited was considered natural front-page news, more in the light of a visiting dignitary, excepting that the masses knew him better perhaps because of the screen.

Passage by Los Angeles city council last week of an ordinance restricting sound from being projected more than 50 feet beyond the property line is expected to sound the death-knell for drive-in theatres inside the L. A. city limits. Whether or not the restrictions will be imposed in the county has Coast exhibitors guessing, particularly in the face of four or five of the open air picture plants in consideration for spots outside L. A. city proper during the early spring. Guy Douthwaite and associates, who built and operate the west's only Drive-In theatre on West Pico, in L. A., are reported taking steps to contest the legality of the new ordinance through the courts.

Murdock Pemberton, of Radio's story department in New York, has a 16-year-old daughter, Kate, who is studying for the stage at the Sorbonne, Paris. Skating at the Palais de Glace in Paris, the Aurora Film unit of Pathe-Natan moved in to take some shots for 'Mons. Sans Gêne.' Kate Pemberton was picked as an extra, director liking the kid's manner, and he gave her a scene with Fernand Gravey, starring in the film.

Young Miss Pemberton was kept on skates all night. Stills were taken of her and she was promised a part in the outfit's next picture. Her uncle is Brock Pemberton, the legit impresario.

Stunt of photographing portions of the Tournament of Roses parade at Pasadena via color film, has resulted in large number of print orders by organizations that had floats entered in the parade. Color films were made by Dunning Process Co., in association with Hearst newsreels and others, and was for the purpose of getting shots for the newsworld set-up to have prints into theatres the same night. Dunning is turning out 1,000-foot runs on 16 mm. stock, with or without sound. Color was obtained through additive process, and registered via two colors, Eastman stock being used.

A. B. Mondak, recalcitrant Oklahoma exhibitor who brought a comprehensive anti-trust damage action a few years ago against the Hays' office and distributors, suing for \$50,000, has written a brochure protesting against conditions in the film industry, challenging the Congress to action and calling the NRA 'a wolf in sheep's clothing.' The indie exhib has mailed a copy of his 32-page pamphlet to each U. S. Senator and Representative in Congress, each governor of the 48 States, to university presidents, leading newspapers and influential citizens.

Dixie Howell, Alabama football ace, tested by Universal for the lead in its 'Frank Merriwell' serial, returned to Alabama from Hollywood to talk over the deal with Frank Thomas, Alabama coach. Led refused to sign or agree to terms first consulting Thomas. Despite his chance in pictures, Howell would prefer going to Mexico City as football coach for the University of Mexico. He also has a chance to play with the Detroit Tigers.

New form of screen advertising appeared during the week on the lower level of Rockefeller Plaza when the Ticker News Service, Inc., which has been using the International News Service machine, report blossomed out with whizbang ads. The Ticker Service has a daylight screen, not from Trans-Lux, in use at the Plaza, the news bulletin attracting many free patrons. The liquor advertising is spotted in between about every third news item.

Fred MacMurray, making his film debut in 'Gilded Lily' (Par) opposite Claudette Colbert, is an ex-member of the California Collegians. As one of the band combo in 'Roberta' when that operetta was on Broadway last year, Par's talent scouts in New York, Eddie Blatt and Oscar Serlin, tested and signed him.

Par's new-faces' ferreting is complete and thorough, with more than primary effort being made to seek out screen potentials. As Ben Phizor, Par's talent tester from the studio, now on a Broadway one-over, puts

it, they even have to cover pie-eating contests. The campuses are the most fruitful for new personalities, but in almost every instance the raw good-looking youngsters don't know a thing about acting.

'Radio City' yarn, hot potato of the RKO Radio lot, is due for another scenarioist going over following current visit of New York officials. Problem child dates back to the entry of Rockefeller interests into Radio production. Hence, it's virtually a 'must' but nobody's been able to get it off the shelf. Chief drawback is story difficulties of dramatically eclipsing Radio City star, radio as a theme has been milked dry for pictures already released. With a number of writers, latest being George Marion, Jr., having worked on it, story cost already reported over \$50,000.

A hotel in Hollywood that gets quite a play from the picture crowds, especially as permanent guests, has an insufficient supply of dining room silverware at times when the place caters a large dinner. Management has declined to purchase any more cutlery, and when there is a shortage, puts the burden on the waiters. Latter have to go out and rent needed setups at rate of 50c. per plate, paying the fees out of their own pockets.

If 'Mystery of Edwin Drood' doesn't click, Universal will be definitely off all Dickens' stories, 'Great Expectations' initial try with a Dickens tale, was a disappointment to U, although looked on generally as stronger than 'Mystery' and with plenty of names in the cast. Universal believes it will prove definitely whether or not such plots are good box office.

Correspondent for a group of English newspapers worked hard through October getting up his Christmas yarns for his various sheets. Came a few days before Yuletide and the English papers cabled that they had not forgotten to mail their Christmas stories. Writer then remembered that he had forgotten to mail them. A thorough search failed to locate the stories and the correspondent is now waiting anxiously.

Unusual incident of an indie distributor putting on a special exploitation man for a Broadway grind engagement occurs with the opening of Masco's 'Little Men' Feb. 22 at the Astor. Dave Davidson, advertising head of Majestic, which is distributing, has placed Leo Young in the exploitation job.

Biggest squawk to come from operators of neighborhood theatres in recent weeks has arisen over seasonable cartoons that don't mean a thing to audience after the season has passed. Typical example during past week was one cartoon with an obvious Christmas motif, but rated extraneous matter by exhibs for a February show.

A \$100,000,000 net return for Minnesota farmers this year, representing a gain of \$24,000,000 above 1934 and the largest income in five years, according to semi-official estimates here, is expected to bring about a large increase in theatre grosses during the ensuing 12 months. State is mainly dependent upon agriculture's prosperity.

Studio writer was assigned to a story by a Hollywood supervisor who stalled for weeks about giving him a theme to work on. After eight weeks of it, the pay-drawing writer still had no idea of what the supervisor had in mind for a yarn. Then the super was excited. Called upon for the story, scribbled had nothing to exhibit. He, too, went to Siberia.

Champ big house user of film company product on Broadway is the Roxy. This house so far has exhibited the product of six domestic firms and one foreign, without overbuying.

Gaumont-British is the foreign company. Domestic firms are Warner, Paramount, Radio, Columbia, Fox and Universal.

Studio chief considering an actor for a part, dispatched the player to New York to catch the show on which the film is based, in order to garner publicity. When the actor returned to Hollywood he learned that someone else had been cast for the part.

Until Par switched its 'Small Miracle' title to 'Night Drama,' the company had two pictures on its schedule carrying the word 'miracle.' Hecht-MacArthur's 'Miracle in 48th Street' now stands.

Although there has been protest by producers over rulings of the Joe Brown office on cuts and changes for purity seal purposes, there has as yet been not a single appeal made by producers over Brown's head.

New wrinkle for picture houses in a neighborhood N. Y. district is a stretch bomb radiator.

In film review of 'Inside Information' running time was mistakenly given as 28 minutes. Film is six-reel length and runs 52 minutes.

## LONG DEMANDS

Cut Short by Film P.A.'s—Too Many Fan Mag Squawks

Receiving squawks from other fan magazines that Photoplay was being shown favoritism, major film publicity directors have been meeting during the past few days to take action against the demands of Ray Long, Photoplay editor.

Long, on becoming editor of Photoplay two months ago reputedly insisted on making all art selections on the Coast, although other mags make all selections (still, etc.) in New York, with few exceptions where a special yarn has to have Hollywood cameras on the job. The boys tried to play ball with Long and the complaints started. So far Warner Bros., Fox, Radio and Par appear determined to end the demands of Long for the Coast cooperation he wants exclusively on stills, pictorial news and the like. Warner on Friday (6) ordered its studio to cut permitting Long to make all its art selections out there, and 'Par yesterday' (Monday) sent out similar instructions. Fox is agreed to do the same and, also, Radio, orders at latter awaiting

scheduled return today (Tuesday) of S. B. MacMurray.

Major publicity heads, so far agreed on the policy with respect to Photoplay, otherwise will give Ray Long the same cooperation other fan mags get, including special illustrations and art work in Hollywood on certain stories.

When Long stepped in as editor of Photoplay he indicated he would spend half of his time on the Coast, publicity boys agreeing to his request on special art selections from Hollywood. Since then the commuting plan for Long has been called off. The editor is due back in New York this week.

## Cool Off 'Torchbearers' With 'Doubting Thomas'

Hollywood, Feb. 11. Flouting that the title of 'Torchbearers' was too hot and sexy to tab on a Will Rogers picture, Fox has changed heading of film version of George Kelly's play to 'Doubting Thomas.' Picture got into production last week under direction of David Butler, Buddy De Sylva producing.

## MILLION DOLLAR SPRUCE UP JOB

Theatres on Redecoration Binge—New Marquees, Seats, Etc.—30 Chi Houses Spend About \$30,000

## OPTIMISTIC

Chicago, Feb. 11.

Greatest theatre rehabilitation wave in the history of the Midwest has been taking place during the past four or five months. Rising optimism has the theatre owners pouring reserve and future coin into theatre decoration and improvement.

It is estimated that more than \$1,000,000 has been put into theatre improvements in Chicago and vicinity in the past four months. Theatres which hadn't been touched in five years or more suddenly spruced up with new marquees, new seats, cooling systems, fresh upholstery on the uhlers, etc.

Partial list of theatres which have had heavy expenditures recently on decorations:

Crawford, Vogue, Ardmore, Garfield, Apollo, McVickers, LaSalle, Clark, Dearborn, Banner, Adelphi, Windsor, Covent, EAR, NRA, Commercial Alba, Midway, Rio, 20th Century, Princess, Paradise, Yale, Woods.

## 30G Apices

These theatres spent an average of \$30,000 each on their various improvements, which took in everything from top to bottom, particularly new marquees, seats and logs. The marquee companies have come forth with a plan whereby the marquees may be bought on the installment plan with the upkeep included in the purchase price.

Gaudy trappings, such as hanging chandeliers, are being eliminated. Practically every theatre is now installing indirect lighting in the lobby and doing away with the exposed lights. In the main this fad for indirect lighting in these parts is due to the World's Fair which was a practical demonstration of indirect incandescence.

## Big Boost

Expenditure of \$1,000,000 for redecoration has resulted in a spurt in business, with many theatres reporting a jump in their weekly business of 15-25% since the spruce-up. This is especially so in the cases of those theatres in the poorer neighborhoods where the theatres haven't had a new piece of chintz or a new chair in years. The sudden doll-up is twice as effective in these cases.

In many cases the lessees of theatres have been able to secure substantial reductions in their rentals, reductions which almost paid for the cost of improvements. House owners, who have been generally willing to okay the cut in rent, feeling that the operators were spending their own money to improve the property. In many cases the redecoration has built the business of the stores lined on the same side of the street.

## N.Y. Capitol's 'Cop' field Record—Stays a 5th Wk.

'David Copperfield' goes a fifth week (15) at the Capitol, N. Y., and possibly a sixth, setting a new record picture run at the Loew deluxer.

But two previous films have ever run four weeks at the house. First was 'Flesh and the Devil,' Garbo starrer, which ran for four weeks of Wimpole Street, Shearer starrer. 'Copperfield's' run at the Capitol is also unique in that business at the house did not vary more than \$3,000 or \$4,000 in its first three weeks.





# THANKS....

**F**ORMIDABLE and weird are the stories of the motion picture business that reach the outside. These tales of incredible tycoons, mysterious geniuses and fabulous sums caused the Editors of THE MARCH OF TIME to view their venture into this new field with trepidation.

The Editors knew that TIME and FORTUNE and THE MARCH OF TIME on the air had valuable and loyal followings. But before these people could see THE MARCH OF TIME on theatre screens nation-wide, they knew that "the trade" must approve and co-operate. THE MARCH OF TIME'S Editors worked industriously at their picture, wondering if the men wise in the selling and exploiting of screen entertainment would catch THE MARCH OF TIME'S enthusiasm for real life drama from the world's news.

A week has passed since the premiere of THE MARCH OF TIME. The first release has been well received by the public, critics and trade press. But even more encouraging than the praise has been the friendly, interested criticism.

To famed showmen—Dave Loew, Charles Moskowitz, Nick Schenck, Joe Vogel, Eugene Picker, of Loew's; to Barney Balaban, Walter Immerman, of B. & K.; Jules Rubens and Abe Kaufman, of Publix Great States; Jack Sullivan and Charles Skouras, of Fox-West Coast, go THE MARCH OF TIME'S sincere thanks for continued support and encouragement. Also to Ralph Branton, A. H. Blank, of Tri-State Theatres; Al Boyd in Philadelphia; Chris Buckley of Albany; Dave Idzal in Detroit; William C. Smalley, Smalley's Upstate Circuit; Bob O'Donnell of Interstate in Texas; Al Steffes in Minnesota, and N. L. Nathanson in Canada.

In the fields of exploitation and publicity the Editors thank Oscar Doob, New York; Bill Hollander, Chicago; Carter Barron, of Washington; William Saxton and Herb Morgan of Baltimore; Milt Harris, Cleveland; Reves Espey, on the West Coast; Frederic Schader, Detroit; Harry Freeman, Philadelphia; Everett Cumings, Omaha; Stanley Brown, Des Moines, for starting THE MARCH OF TIME onto the screen with one of the most successful campaigns ever given any picture.

THE MARCH OF TIME editors realize that they must be worthy of the industry's support, that their film is yet far from perfect. It is their determination to make each release a more complete, a more skillful issue.

## THE MARCH OF TIME

Distributed by

FIRST DIVISION, Inc.

HARRY H. THOMAS, Pres.

1270 Sixth Avenue, New York City







CHAMPAGNE COCK

CARL BRISSON

ROMANCE

MARY EL

"ALL THE

COMEDY

"A Little White Gardenia"  
 "Dancing the Viennese" "When My Prince  
 Charming Comes Along" "Be Careful Young Lady"  
 "A King Can Do No Wrong" Words and Music  
 by Sam Coslow Author of  
 "Cocktails for Two"

MUSIC

PICTURE

TAILS FOR TWO!

LIS

# KING'S HORSES



DANCING

Edward Everett Horton • Katherine DeMille  
Eugene Pallette • Directed by Frank Tuttle  
Dances by LeRoy Prinz

It's the best show in town!



Unfinished Symphony. Musical romance based on Schubert's life. Martha Eggerth. Dir. Willy Forst. 83 mins. Rel. Jan. 1. Rev. Jan. 15.



## Studio Placements

their social salvation in a lunch wagon. Dir. *Medville Brown*. 77 mins. *Rel.*

of murdering the same man told cir- by his detector, proving two are innocent. *Jr. Jameson Thomas, Conway Trefle* (Tearle stars). 60 mins. *Rel. Dec. 15*

*Star Western.*

*Verna Hillie*. 56 mins. *Rel. Oct. 22*

of fashion salon people almost causing and in disaster. *Milana Conbell, Gaylin*

*rt Light and Monogram* contest winners.

**amount**

**Office: 1501 Broadway, New York 19, N. Y.**

with a picture star replacing King- Brissom, Mary Ellis. *Dir. Frank Tuttle*

*ene Raymond. Dir. Dave Licon*

...loque. Mae West. Dir. Leo McCarey.  
 Sept. 25.  
 ...panish dancer. Marlene Dietrich. Caesar  
 ...son Von Sternberg. Rel. Mar. 15.  
 ...Michigan state radio police. Fred Mac-  
 ...nn Sheridan. Dir. Chas. Barton. Rel.  
 ...a modern dialog. Claudette Colbert, War-  
 ...a. Dir. Cecil De Mille. 102 mins. Rel.  
 ... Joe Penner, Lanny Ross, Jack Oakie,  
 ...urog. 75 mins. Rel. Nov. 23. Rev. Nov. 27.  
 ...rapped by a needless fake alibi. Claude  
 ...s. Chas. MacArthur. 70 mins. Rel. Aug.  
 ...y of a temperamental star. Ellsala Landl,

ant. 31 mins. Rel. Jan. 4. Rev. Jan. 15.  
of mystery story. Paul Lukan, Gertrude  
Kenny. Rel. Jan. 25.

Dec. 5.  
Randolph Scott. Jackie Coogan. Evelyn  
grove. W. C. Fields. Baby LeRoy. Joan  
67 mins. Rel. Nov. 30. Rev. Jan. 8.

Damon Runyon story in Collars. Rel.  
Marshall Neilan. Geo. Raft. Rel. Sept. 23.

Oscar Chinatown. Geo. Raft. Jean Parker.  
all. 83 mins. Rel. Nov. 9. Rev. Dec. 18.

in an Indian legend. Gary Cooper.  
n. N. dir. Ralph Murphy. 58 mins. Rel.

girl finally make a match. Carnivale  
Lee, Burns and Kelly. Andy Ellott.

Hill face. Walter C. Allen. Andy Ellott.  
phy. Rel. Mar. 22.

W. Tarkington. Bing Crosby. W. C. Fields.  
Tarkington. W. Tarkington. W. Tarkington.

near of death. Gertrude Michael, Paul  
Dier. Ralph Murphy, 58 mins. Rev. 11.  
Talk version of the old favorite. Pauline  
Dier. Norman Taugros. 78 mins. Rev. 11.  
Twelveths, Conrad Nagel. Dir. Ralph  
current sensational novel of waxes the  
Paul Kelly. Dir. Wm. A. Wellman. 88  
11.  
the stage of about bundling. Joan  
Hall. 80 mins. Rev. Nov. 15.  
of an actress's daughter. Ida Lupino  
62 mins. Rev. Oct. 12. Rev. Dec. 4.  
mystery story by Zane Grey. Randolph  
Mrs. Leslie Carter. Dir. Chas. Barton  
Wilson's story of a butler won in a bridge  
Boyd, Chas. Burgess. Dir. Leo McC  
you meet in Havana. Geo. Raft, Ben Bornie  
Gering. Rev. Feb. 7.  
the story of Marianna Dietrich. John  
g. 104 mins. Rev. Sept. 7. Rev. Sept. 18.  
in college dormitory magnificence as a  
Brooklyn. Dir. Elliot Nugent. 45 mins. Rev.  
Ben Bernie's band. Geo. Raft, Ben Bornie  
25.  
Gray story. Randolph Scott, Gal Patricia  
Rev. Sept. 21. Rev. Oct. 9.  
a blindled aviator. Myrna Loy  
ood. Rev. Feb. 1.  
Helen Mack. Leo Tracy. Dir. A. L.  
24. Rev. Sept. 1.

**O. Radio** **Office:** R.K.O. Bldg.,  
Radio City, N.Y.C.

overcomes the adoption, life and development  
on Prince Edward Island. Anne Shirley  
v. 23. Rev. Dec. 25.  
the young just entering into middle life, take  
Morgan, Gustavus Tobin, Nell Hamilton,  
Anne Lookhart. Dir. Lloyd Corrigan.

1. Cod and its people. James Barron, Helen  
he commits suicide a dead man is ex-  
for, who demands that the group of friends  
Brady, Ernest O'Brien-Moore, Conrad Nager,  
Bruce, Funes, Henri Wadsworth, Doris  
ment of Italian sunshine, and a romantic  
to four unhappy English women. Ann  
of the sea. Dir. David Owen.  
1. Rel. Jan. 25. 66 mins.

series to hire a girl who mistakes Guy  
narrator novel--Ann Harding, Brian Aherne  
activities they fall in love with each other  
Brady, Edward Everett Horton, Rivka  
Sandrich. 107 mins. Rev. Oct. 19. Rev.

meets all her money and becomes a hostess  
Bismarck, Ralph Bellamy, Donald Cook, Robert  
Horton school teacher. May Robson, Marjorie  
Ann Hale. Dir. by John Robinson. Tals

it becomes a football hero at a large uni-  
essential fundamentals of good are basic

[illegible]

Those box office sweethearts  
have come through for you  
*again*

*Variety Daily:* "Refreshing box office fare for flourishing business. It packs that surplus of optimism and inspiration beyond mere surface entertainment."

*Motion Picture Daily:* "Keynoted by optimism and human appeal and played by box office personalities, this should line and pack ticket windows. Music to showmen's ears, paralleling 'Daddy Long Legs'."

*Janet*

*Warner*

# GAYNOR BAXTER *in* ONE MORE SPRING

From the novel by Robert Nathan

WALTER KING • JANE DARWELL • ROGER IMHOF

GRANT MITCHELL • ROSEMARY AMES

JOHN QUALEN • NICK FORAN

and STEPIN FETCHIT

Produced by Winfield Sheehan Directed by Henry King



## CALENDAR OF CURRENT RELEASES

(Continued from page 35)

ally present in everybody. Eddie Quillan, Betty Furness, Grant Mitchell, Edgar Kennedy, Dir. Glenn Tyrion. 65 mins. Rel. Oct. 26. Rev. Jan. 22.

**My Greatest Gamble.** A father, in prison for murder, escapes in order to save his daughter from her domineering mother. Richard Dix, Dorothy Wilson. Dir. John Robertson. 70 mins. Rel. Aug. 3. Rev. July 24.

**Kentucky Kernels.** A pair of out-of-work vaudevillians adopt a small boy who turns out to be heir to a large Kentucky estate which is involved in a feud with a neighboring estate. Bert Wheeler, Robert Woolsey, Mary Carlisle, Spanky McFarland, Noah Berry. Dir. George Stevens. 65 mins. Rel. Nov. 2. Rev. Jan. 22.

**Lightning Strikes Twice.** A fast-moving farce which concerns itself with an amusing tangle of identities that result from two young men bringing a fan dance number by mistake. Ben Holmes, Edna Best, Fred Kelsey, Laura Hope Crews, "Skeets" Gallagher, Chick Chandler, Walter Catlett. Dir. Ben Holmes. 64 mins. Rel. Dec. 7.

**Little Minister.** The romance of a young Scotch minister and a gypsy girl, who really is a nobleman of the district. Katharine Hepburn, John Beal, Alan Hale. Dir. Richard Wallace. Rel. Dec. 28. Rev. Jan. 4.

**Murder on a Highway.** The further adventures of the old maid, amateur detective, school teacher, Miss Hildegard Withers, and Inspector of Police Oscar Piper. This time the murder takes place on an airplane. Edna May Oliver, Russ Gibson, Lola Lane, Dorothy Lathrop. Dir. Lloyd Corrigan. Rel. Feb. 22.

**Red Morning.** Adventure in a primitive section of Papua. New Guinea. Stem Dunn, Regie Toomey, Raymond Hatton. Dir. Wallace Fox. 65 mins. Rel. Dec. 14.

**Richest Girl in the World.** Wealthy girl seeks non-mercenary suitor. Miriam Hopkins, Charles Frank, Frank Morgan, Fay Wray. Dir. Wm. A. Seiter. 80 mins. Rel. Sept. 21. Rev. Sept. 21.

**Romance in Manhattan.** A young Czech-Slovakian enters the United States (his "promised land") as a salesman of the district. Katharine Hepburn, John Beal, Alan Hale. Dir. Richard Wallace. Rel. Dec. 28. Rev. Jan. 4.

**Silver Struck.** The fast-action melodrama in which the famous streamlined train of the Burlington Railroad plays the star part. Sally Blane, Charles Starrett, Hardie Albright, William Farnum. Dir. Thomas A. Heintz. 75 mins. Rel. Jan. 22. Rev. Jan. 22.

**Wednesday's Child.** The effect of divorce upon children. Edward Arnold, Karen Morley, Frankie Thomas. Dir. John Robertson. 65 mins. Rel. Oct. 28. Rev. Dec. 14.

**West of the Pecos.** The locale is the Pecos county in New Mexico. A young girl, disguised as a boy, regenerates an outlaw and wins happiness. Richard Dix, Miriam Hopkins, Fred Kohler. Dir. Phil Rosen. 65 mins. Rel. Jan. 4. Rev. Jan. 1.

**Woman in the Dark.** A fast-paced melodrama about a paroled convict who is involved in the murder of a girl from the same prison. Fay Wray, Ralph Bellamy, Melvyn Douglas, Robert Hoopes. Dir. Phil Rosen. 65 mins. Rel. Oct. 26.

**United Artists** Offices: 729 Seventh Ave., New York, N. Y.

**Affairs of Cellini.** The love life of Benvenuto Cellini. Fredric March, Constance Bennett, Frank Morgan, Fay Wray. Dir. Gregory La Cava. Rel. Aug. 24. Rev. Sept. 11.

**Clive of India.** The story of Clive, who founded a new British dominion—India. Ronald Colman, Loretta Young, Francis Lister, Dir. Richard Boleslawski. 82 mins. Rel. Jan. 22. Rev. Jan. 22.

**Count of Monte Cristo.** The famous Dumas' classic about the man who made a fabulous fortune and used it to revenge a great wrong. Robert Donat, Eileen Lane, Sidney Blackmer. Dir. Rowland V. Lee. Rel. Sept. 7. Rev. Oct. 2.

**Kid Millions.** Musical spectacle in the U. S. & Egypt. Eddie Cantor, Ethel Herman. Dir. Roy Del Ruth. 80 mins. Rel. Dec. 23. Rev. Nov. 13.

**Last Gentleman.** The shrewd and sly millionaire cleverly tells the plans of his son to chase his money away. George Arliss, Edna May Oliver, Janet Beecher and Ralph Morgan. Dir. Sidney Lanfield. Rel. Sept. 21.

**Mighty Barnum.** The fictional story of P. T. Barnum. Wallace Berry, Adolphe Menjou, Virginia Bruce. Dir. Walter Lang. 87 mins. Rel. Oct. 28. Rev. Dec. 14.

**Jur Daily Bread.** Dishonest folks from all walks of life begin all over on an abandoned farm. Karen Morley, Tom Keene, and Barbara Pepper. Produced and directed by Victor. Rel. Sept. 23. Rev. Oct. 2.

**Transatlantic Merry-Go-Round.** Mystery rides the waves. Music in one murder, murder in the next. A gambler, an heiress, a comedian and a detective accused of the whole thing. Jack Palance, Jack Palance, Gene Raymond, Nancy Carroll, Sidney Blackmer. Dir. Benjamin Stoloff. 85 mins. Rel. Nov. 2. Rev. Nov. 2.

**Private Life of Don Juan.** Don Juan, a playboy, that, deprived of his name and reputation, he is no greater lover than the next fellow. Douglas Fairbanks, Mollie Ostron, Beulah Hume. Dir. Alex Korda. 92 mins. Rel. Nov. 30. Rev. Nov. 30.

**Runaway Queen.** A merry melodrama of revolution and romance. Anne Rieghe and Gene Raymond. Rel. Dec. 14.

**We Live Again.** A vivid new version of Tolstoy's immortal "Resurrection." Anna Sten, Frederic March, Jane Baxter, C. Aubrey Smith. Dir. Rouben Mamoulian. 85 mins. Rel. Nov. 16. Rev. Nov. 6.

**Studio: Universal City.** Offices: 30 Rockefeller Center, New York, N. Y.

**Cheating Cheaters.** From Max Marcin's stage play, Fay Wray, Cesar Romero, Minna Gombell. Dir. Rich. Thorpe. 87 mins. Rel. Nov. 2. Rev. Dec. 11.

**Gift of Gab.** Comedy-drama-musical. Edmund Lowe, G. Stuart and Big Boy. Rel. Dec. 11.

**Good Fairy.** From Fernand Molnar's stage play, Margaret Sullivan, Herbert Marshall, Frank Morgan. Dir. Wm. Wyler. Rel. Sept. 18.

**Great Expectations.** Drama. Henry Hull, Jane Wyatt. Dir. Stuart Walker. Rel. Oct. 22.

**Human Side.** Drama. Adolphe Menjou, Doris Kenyon. Dir. Eddie Buzzell. 60 mins. Rel. Aug. 27. Rev. Sept. 13.

**It Happened in N. Y.** Comedy-drama. Lyle Talbot, Gertrude Michael, Heather Angel. Dir. Alan Cohn. Rel. Mar. 11.

**I've Been Around.** Comedy drama. Chester Morris, Rochelle Hudson, Isabelle Jewell. Dir. Phil Cain. Rel. Dec. 31.

**Imitation of Life.** Drama. Claudette Colbert, Warren William. Dir. John M. Stahl. 115 mins. Rel. Nov. 23.

**Man Who Reclaimed His Head.** The "From Jean Bart's stage play of French life. Claude Rains, Joan Bennett, Lionel Atwill. Dir. Edw. Ludwig. Rel. Dec. 24.

**Million Dollar Ransom.** Comedy-drama. Edward Arnold, Mary Carlisle. Dir. Murray Roth. Rel. Sept. 10.

**Mystery of Edwin Drood.** From the Dickens story. Claude Rains, Douglas Fairbanks, Victor Jory. Dir. Stuart Walker. Rel. Feb. 4.

**Night Life of the Gods.** From Thorne Smith's fantastic tale. Alan Mowbray, Florine McKinney. Dir. Lowell Sherman. Rel. Mar. 4.

**Notorious Gentleman.** A mystery-murder. Charles Bickford, Helen Vilson. Dir. J. Lee. Rel. Jan. 22.

**One Exciting Adventure.** Comedy-drama. Binnie Barnes, Neil Hamilton. Dir. El L. Frank. 70 mins. Rel. Oct. 15. Rev. Jan. 1.

**Princess O'Hara.** Comedy. Chester Morris, Jean Parker. Dir. David Burton. Rel. Mar. 18.

**Rendezvous at Midnight.** Murder-mystery. Ralph Bellamy, Valerie Hobson. Dir. Christy Curneen. Rel. Mar. 11.

**Rocky Rhedes.** Western. Buck Jones. Dir. Al Raboch. 60 mins. Rel. Sept. 24. Rev. Jan. 1.

**Romance in the Rain.** Comedy-drama of a slum cinderella. Roger Pryor, Victor Moore. Dir. Victor Moore. Rel. Mar. 11.

**Secret of the Chateau.** Mystery story. Claire Dodd, Clark Williams. Dir. Rich. Thorpe. Rel. Dec. 14.

**Strange Wives.** Comedy drama. Roger Pryor, June Clayworth. Dir. Rich. Thorpe. Rel. Dec. 14.

**Strait from the Heart.** Baby Jane, Mary Astor, Roger Pryor. Dir. Curt Neumann. Rel. Jan. 14.

**There's Always Tomorrow.** Drama. Frank Morgan, Lois Wilson. Dir. Ed. Sloman. 86 mins. Rel. Sept. 11. Rev. Nov. 13.

**Transient Lady.** Police romance. Henry Hull, Gene Raymond, Frances Drake. Dir. J. Bussell. Rel. Feb. 22.

**Wake Up and Dream.** Musical. Russ Columbo, Roger Jones, John Knight. Dir. Curt Neumann. Rel. Oct. 1. Rev. Oct. 1.

**When a Man Sings.** When a man sings. Dir. Alan Jones. 60 mins. Rel. Nov. 12. Rev. Jan. 22.

**Warner Brothers** Offices: 521 W. 44th St., New York, N. Y.

**Bleu-Hearted Herbert.** From the stage farce. Old-fashioned father takes a liking from his modern family. Guy Kibbee, Alana McMahon, Patricia Ellis. Dir. Wm. Keighly. 65 mins. Rel. Oct. 6. Rev. Nov. 20.

**Bertertown.** Story of ambitious and magnetic foreign youths in his battle to fit himself into American conditions. Paul Muni, Bette Davis. Dir. Archie Mayo. 80 mins. Rel. Jan. 22. Rev. Jan. 22.

**Case of the Curious Bride.** Warren William, Phillip Reed, Margaret Lindsay. Dir. Michael Curtiz. Rel. Mar. 30.

**Case of the Howling Dog.** The introducing a new film sleuth. Warren William, Philip Astor. Dir. Alan Crosland. 75 mins. Rel. Sept. 22. Rev. Oct. 22.

**Desirable.** Mother and daughter in a battle for love. Jean Mull, Geo. Brent, Victor Jory. Dir. Archie Mayo. 65 mins. Rel. Sept. 3. Rev. Sept. 13.

**Devil Dogs of the Air.** Rollicking comedy drama romance of the aviation corps of the U. S. Army. James Cagney, Pat O'Brien. Dir. Lloyd Bacon. 86 mins. Rel. Feb. 9.

**Firebird.** Murder mystery in Austria. Verne Tassada, Riccardo Cortez. Dir. Wm. Dieterle. 65 mins. Rel. Nov. 2. Rev. Nov. 2.

**Gold Diggers of 1935.** Dick Powell, Adolphe Menjou, Gloria Stuart, Albee Brady. Dir. Busby Berkeley. Rel. Mar. 16.

**Kansas City Princess.** Two mid-west maniacs on a jamboree. Joan Blondell, Gloria Parker, Hugh Herbert. Dir. Wm. Keighly. 64 mins. Rel. Oct. 13. Rev. Nov. 6.

**King of the Ritz.** Wm. Morgan, Patricia Ellis. Dir. Wm. H. McGann. Rel. Mar. 22.

**I Am a Thief.** Mystery and murder in a diamond theft. Mary Astor, Riccardo Cortez. Dir. Robert Florey. Rel. Nov. 24. Rev. Jan. 5.

**Living on Velvet.** Love of a beautiful society girl, a half man and totally irresponsible lawyer. Kay Francis, Warren William. George Brent. Dir. Frank Borzage. Rel. Mar. 2.

**Madame Du Barry.** Drama of the lady who made history all up and take notes. Dolores Costello, Dolores Costello, Dolores Costello, Dolores Costello. Verne Tassada, Victor Jory, Dorothy Tree, Helen Lowell. Dir. William Dieterle. Rel. Oct. 12.

**Red Hot Tires.** Dynamic drama of auto race tracks. Lyle Talbot, Mary Astor. Dir. D. Ross Lederman. 61 mins. Rel. Feb. 2.

**Right to Live.** The Romance in which two brothers love the same woman and one of them so that his wife can find happiness with the other. Josephine Hutchinson, George Brent, Colin Clive. 68 mins. Dir. Wm. Keighly. Rel. Jan. 26.

**Secret of the Shilling.** Drama of political intrigue which results in two baffling murders and a suicide. Barbara Stanwyck, Warren William. Dir. Wm. Dieterle. 64 mins. Rel. Dec. 22.

**St. Louis Blues.** Drama. Dick Powell, Patricia Ellis. Dir. Ray Enright. 66 mins. Rel. Oct. 10. Rev. Nov. 2.

**Sweet Adeline.** From the stage opera. Irene Dunne. Dir. Merwyn LeRoy. Rel. Jan. 22.

**Sweet Music.** Rudy Vallee, Ann Dvorak. Dir. Alfred E. Green. Rel. Feb. 23.

**White Cockade.** The detective yarn. Jean Mull, Riccardo Cortez. Dir. Alan Crosland. 72 mins. Rel. Jan. 19. Rev. Jan. 18.

**White Lies.** Slept. Alina MacMahon, Guy Kibbee. Dir. Ray Enright. Rel. Mar. 9.

**Woman in Red.** Young wife faces scandal to save a man from conviction of murder. Robert Montgomery, Gene Raymond, Genevieve Tobin. Dir. Robert Florey. Rel. Feb. 16.

## Miscellaneous Releases

**Are We Civilized?** (Raspini). Propaganda for peace. Dir. Edwin Carewe. 70 mins. Rel. July 13. Rev. July 24.

**Battle, The (Gargano).** French-made story of a Japanese officer who sacrifices his life for his country. Charles Boyer, Merle Oberon. Dir. William Keighly. 85 mins. Rel. Jan. 22. Rev. Jan. 22.

**Blue Steel (Blue Steel).** John Wayne Western. Dir. R. N. Sbradley. 64 mins. Rel. July 17. Rev. July 17.

**Cross Streets (Invisible).** Story of a down and out surgeon who performs a secret operation. Frank Cavanaugh, Sally Bane. Dir. Wm. Nigh. Rel. July 10.

**Dancing Man.** Gigolo story. Reginald Denny, Judith Allen. Dir. Al Ray. 64 mins. Rel. July 13. Rev. July 24.

**Dealers in Death (Topical Film).** Arrangement of munition makers. Mostly news clips. 65 mins. Rel. Dec. 18.

**Fighting Trooper.** The Canadian police story. Kermit Maynard, Barbara Stanwyck. 65 mins. Rel. Jan. 22. Rev. Jan. 22.

**Hollywood Mystery (Regal).** Story of a temperamental director and a racketeer. June Clyde, Frank Albertson. Dir. Breezy Eason. 53 mins. Rel. Nov. 2.

**'I Can't Escape (Syndicate).** Ex-convict goes straight. Onslow Stevens, Lila Lee. Dir. Otto Brower. 69 mins. Rel. Sept. 3.

**Inside Information.** (Stage and Screen.) Detective reporter and a dog. Rex Lewis, Marjorie Schilling. Dir. Robert Hill. 38 mins. Rev. Jan. 8.

**Man from Hell, The (Marcy).** Western. Bob Russell. Dir. Lew Collins. 60 mins. Rel. Oct. 2.

**Marrying Widows (Oxy).** Young widow gets her wish. Judith Allen, Minna Gombell, John Mack Brown. Dir. Sam Newfield. 67 mins. Rel. Sept. 3.

**Wick to the Crime (Beacon).** Comedy detective story. Ralph Graves, Lola Wilson. Dir. Lewis D. Collins. 66 mins. Rel. Dec. 25.

**Tar is a Racket (Eureka).** Paste up of newswall clips with some new material. Rel. Dec. 11.

**Young and Beautiful (Masco).** Studio story with the Wampas' baby stars. Wm. Haines, Judith Allen. Dir. Jos. Santley. 68 mins. Rel. Sept. 2. Rev. Sept. 25.

## Foreign Language Films

(Note: Because of the slow movement of foreign films, this list covers one year of releases.)

(Most of these available with English titles.)

**Abel mit der Mundharmonika (Ger) (Ufa).** Comedy of young love. Dir. Erich Waschneck. 60 mins. Rel. Sept. 1.

**Adele Les Beaux Jours (Fr) (Ufa).** Greek romance. Brigitte Helm. Dir. Carl Boese. 70 mins. Rel. May 1.

**Airsounds (Ger) (Capitol).** Test tube babies. Brigitte Helm. Dir. Richard Oswald. 70 mins. Rel. May 1.

**Annette, Braut der Kompanie (Ger).** Military farce. Lucie Englisch. Dir. Carl Boese. 70 mins. Rel. Dec. 1.

**Bei der Blonden Katharin (Ger) (Bavaria).** College comedy with music. Dir. Franz Seitz. 80 mins. Rel. Dec. 1.

**Blonde Christi, Die (Ger) (Bavaria).** Musical. Karin Hardt. Dir. Franz Seitz. 75 mins. Rel. Feb. 15.

**Buzsuzgar (Hung) (Danubia).** Operetta with romance. Dir. Steven Seckely. 80 mins. Rel. Jan. 31.

**Buenaventura, La (Sp) (WB).** Musical with Victor Herbert score. Enrico Glaviano, William McGinn. 80 mins. Rel. Sept. 5.

**Broken Shoes (Ruse) (Amindo).** Child reaction to politics. Anti-Hitler. Dir. Margarita Bakarkya. 80 mins. Rel. March 15. Rev. April 3.

**Chet's Viole Carille (Fr) (Kinematograph).** Social drama. Harry Baur. Dir. Chet Viole. 70 mins. Rel. Jan. 1.

**Chelitzim (Hebrew) (Acme).** First talker made in Palestine. Dir. Alexander Ford. 70 mins. Rel. March 15.

**Chapayev (Ruse) (Amkino).** Historical drama. Dir. Sergei and Georgi Voznesen. 70 mins. Rel. Jan. 1.

**Cheute El Roto (Sp) (Cinepro).** Romantic tragedy. Dir. Gabriel Sorra. 60 mins. Rel. Dec. 1.

**Cinco de Mayo (Sp) (Fox).** Drama of martial relations. Antonio Moreno, Catalina Barcelona. Dir. Louis King. 70 mins. Rel. Feb. 15.

**Corazones en Derrota (Spanish).** Tragic drama made in Mexico. Dir. Ruben Corda. 70 mins. Rel. Oct. 1.

**Crown of Thorns (Kinematograph) (Ger) (Dubbed Eng.).** Biblical drama. Dir. Robert Wiene. 70 mins. Rel. March 15.

**Cruz y La Rueda, La (Sp) (Fox).** Historical romance. Jose Mojica. Dir. Juan de la Cruz. 70 mins. Rel. Feb. 15.

**Cuesta Abajo (Sp) (Par).** Romantic drama. Carlos Gardel, Maria Maris. Dir. Louis Gasnier. 75 mins. Rel. Aug. 16.

**Czar, The (Czech) (Amkino).** Satire on court life of Paul I. Dir. Alexander Feldshimer. 70 mins. Rel. Dec. 1.

**Deutscher (Russian) (Garrison).** More class struggle. Dir. V. I. Pudovkin. 80 mins. Rel. Jan. 1.

**Deserter, Les (Fr) (Blue Ribbon).** Costume melodrama. Yvette Guilbert. Dir. Maurice Tourneur. 90 mins. Rel. Feb. 15. Rev. Feb. 15.

**Das Was Eine Dose (Spanish) (Fox).** Comedy romance. Rosita Moreno. Dir. John Reinhardt. 70 mins. Rel. Oct. 1.

**Das was eine Dose (Spanish) (Fox).** Romantic comedy. Dir. Jose Buerba. 80 mins. Rel. June 1.

(Continued on page 39)

## CENSORS WOULD 'PINK' PIX IN MD.

Baltimore, Feb. 11.

In its 18th annual report, released last week by the Maryland State Censor Board, the pinking of pictures, "able for adults only" was advocated. What the Board is seeking is to have children under 16 "prevented by law" from attending certain pic, at least reduced admittance to such pic as are designated, unless the kids are accompanied by their parents. This stand and advocacy burst over the state's exhibits as a complete surprise, apparently, none considered the possibility of such a move by the censors.

In the report, the Board admits that the "moral tone" of pic has been elevated during the past year. Following the advocacy of the pinking of pic, the board calls attention to the fact that the practice is pursued in Great Britain and in the U. S. After commenting on the better moral aspects of the board has discerned in recent productions, the censors claim partial credit by announcing that after the part played by the Church, "another factor in the clean-up of the screen is the reconstruction of films for censorship territories, which include the states of Ohio, Pennsylvania, New York, Virginia, Kansas and Maryland. In the great cases, the Board finds that an objectionable film already has been deleted and reconstructed before it is submitted to the Board."

## N. Y. LICENSE COMMR. STRICTER ON CINEMAS

New York theatre execs have outlined a set of rules seeking to eliminate all fire hazards, after a confab with License Commissioner Paul Moss. Moss' calling in theatre managers from every section of the city brought the official word warning in which six hazards were to be checked by the theatre managers. Also included in the circuit edicts is a statement relative to admitting children.

That the city intends to tighten regulations on admitting minors was seen in his action calling 23 managers of houses in the Harlem area to his office Wednesday (6). The Society for Prevention of Cruelty to Children had checked the matter to Moss' office.

House managers were told not to admit children unless accompanied by their parents or proper guardians and to keep all employees from purchasing tickets for children.

Most of the circuit heads warned against accumulation of inflammable material, keeping of extra fire from obstructions, to maintain panic bolts in good order, to see that all exit doors were unlocked during performances, to keep ushers and at least one manager on the floor during a show and to remove all inflammable material from the boiler room.

## Charge Illegal Transfer In 176 Fox-WC Suit

Los Angeles, Feb. 11.

In a suit for \$17,045 filed in Superior Court, the Colorado Corp. charges Far West Theatres Corp. and Fox West Coast's bankruptcy trustees with having converted to their own use and for the benefit of the Fox Colorado theatre which were legally set aside to cover a chattel mortgage securing lease on the house.

The trustees alleged to have been wrongfully appropriated are declared to have been specified to insure the 15-year lease for Far West (P-WC sub) to L. L. Bard and other members of the Bard family, subsequently transferred to the plaintiff corporation.

## Kay Swan Goes Goldwyn

Hollywood, Feb. 11.

Kay Swan, assistant to D. A. Brown in the Paramount home office, is now assistant to Merritt Hulbert, story head for Goldwyn.



# "Ten-shun-Little Colonel..."

Look what they're saying about your next picture."

"Charming, lovable, without the slightest trace of precociousness, Shirley will capture audiences' affections with her amazing versatility, being equally at home in comedy, drama, pathos or charm. In Technicolor her personality radiates as one in a million.

"Shirley's drawing power, plus Barrymore, plus Robinson, should gratify box offices as much or more than previous Temple films."

—Motion Picture Daily

*Shirley*

*Lionel*

**TEMPLE • BARRYMORE**

in

*The* **LITTLE COLONEL'**

A B. G. DeSylva Production with

**EVELYN VENABLE • JOHN LODGE • BILL ROBINSON**

Screen play and adaptation by William Conselman. Based on the story by Annie Fellows Johnson.

Directed by David Butler.



## THE WINNING TICKET

etc. But in toto 'Jack Ahoy's' a lightweight comedy, although its b.o. selling possibilities — especially as done at the Roxy, where Hulbert was excellently ballyhooed as a new comedy entry — are generous. On that score it will command some attention. **Adel.**

## THE WINNING TICKET

Liberty production and release. Features  
Lela Hyams, Phillips Holmes, Jack LaRue  
and Robert McWade. Directed by Fred Nun-  
meyer. Suggested by Damon Runyon's  
story, "The Big Mitten"; adaptation, Alben  
Pond; camera, Harry Newman.  
Times: 7-9 three days, 6-10-11  
35 as half double bill. Running time, 70  
mins.

Barbara Winfield.....	Lela Hyams
Tom.....	Phillips Holmes
Ray Romano.....	Jack LaRue
John Winfield.....	Robert McWade
Mrs. John Winfield.....	Hedda Hopper
Burt.....	Alben Pond
Eddie Winfield.....	Eddie Nugent
Aaron Woolcott.....	Carl Miller
Holins.....	Irving Bacon

Fanciful treatment of the neglected father theme. Racketeers and kidnapping thrown in for good measure make of 'No Ransom' nice entertainment which should do a right in the lesser houses.

Starting out by developing the social problems of a mugg who heads a big steel company but still likes to dunk his doughnuts, the scenario goes off on its somewhat fantastic detour.

Old man Winfield hired a racketeer to bump him off, making a deal to pay him \$30,000 for the job. But the racketeer, Frank Armbrister, because his wife is going to jail, declines the offer. Winfield then asks a psychologist admirer, his daughter, who is running wild with youth, and who is having a nervous breakdown, to do the job. The old guy has an indigestion and his wife won't let him take any medicine. He then goes out and twist comes when the racketeer (Jack LaRue) himself goes flabby. Winfield then asks the psychologist to adopt a policy of trying to scare the intended victim's family out of their money. The psychologist's execution of this plan tosses him square into the arms of the daughter, who falls for him, thereby opening up a new chapter in the story. Finally for LaRue after he has pulled a fake kidnapping of Winfield in order to get his money.

Robert McWade steals the picture. He's amusing as the mugs at the way. LaRue also stands up well. The picture is well acted. The cast includes Phillips Holmes, Lella Eymann, Hedda Hopper and Eddie Nugent.

**IN TOWN TONIGHT**

(BRITISH MADE)  
London, Jan. 31.  
British Lion production, released through  
British Lion. Created and produced by  
S. W. Smith. Running time, 78 min.  
Previewed Prince Edward theatre, Lon-  
don, Jan. 24, '35.

British Lion has here assembled score of vaudeville acts and band and filmed them as a big vaudeville show, with absolutely no imagination exercised in the matter of coherency.

Names are practically all standard top-liners in England and the picture will undoubtedly draw and offer original entertainment in small towns where these headlines are known by name but have never appeared over here. All of the actors are good, not one of them fails to entertain in a greater or lesser degree, and they have all been photographed advantageously. But for the U. S. there's a big doubt.

White slave traffic in Europe. Lian  
April 15.

Romantic comedy. Hansi Niese, Ma.  
70 mins. Rel. May 1

(Amkino). Newsreel compilation. Dir. V. Petrov. 8

ama, Dorothea Wieck. Dir. Hans Paul  
Rel. April 1.  
y drama. Anita Campbell, Mona Maris

(r). Argentine comedy. 70 mins. Re

Musical based on Johan Strauss' life.  
Dis. Includes songs, 60 mins. R

ermania). Romantic comedy. Charlotte  
mins. Rel. Nov. 1.  
Franziska Gaal. Musical comedy. Di  
15.

General Foreign Sales, 729 7th Ave.  
Germania, 22-33 19th St.; Astoria, L.  
J. H. Hoffberg, 729 Seventh Ave.  
Inter-Continent, 50 E. 42nd St.

Jewish American, 630 Ninth Ave.  
Kinematrade, 723 Seventh Ave.  
Protez Trading, 42 E. 58th.  
Scandinavian Films, 220 W. 42d.  
John Tapernoux, 128 West 56th St.  
Ufa, 729 Seventh Ave.

With names featured ahead of performance, this suggests only fair success, but once they're inside it's pretty certain comedy hit, though the idea dries up before the film lives out, and leaves the action pondering around without much excuse for continuing. Not for the high spots, but should do well where they respond to the feature names. Verbal advertising will help on these, then a day.

Story is elemental. Carrillo, an allan barber, invests in a sweepstakes ticket. He wins, but the ticket is not to be found. At the end it's found that the baby put into Carrillo's gular, so all's well.

script goes off to briak action but slow development, steams up when the loss of the ticket is discussed. The loss of the ticket is a snarker who has advanced coin, no knowing about the loss, demands a showdown. That's all the plot material. The rest of the picture is to support the length. Even at the end of a few laughs there should have been some tightening via the subplot. The subplot is a subplot, a subplot, including a delightful episode where two adults try to coax a child to sleep. The subplot is the child with the slp. This rises to a somewhat level, but most of it is hurried along in the spirit of near the end of the film. The subplot is not given all the spots. It's a subplot's chance, and it brings much more laughter. With a stronger subplot, the same lines this might have made tops.

Carrillo and Miss Fazenada give notable performances as the barber and his wife. At one point Miss Fazenada runs too high a pressure, and Carrillo for the greater part she teams with Carrillo in a convincing portrayal of Ted Healy and his wife. Carrillo gave as much show as the Alberti and Healy goes to town and half-way back again as the slick-barber, with Alberti holding his own. Healy forgets to be himself and suffers laughs while holding to his character. Minor assignments are given to some hands, but the most humorous. Nicely played kid part by Ronald Fitzpatrick. He's cute. Chic.

(BRITISH MADE)  
London Jan 91

British Lion-Transatlantic production, re-used through British Lion. Directed by Bernard Vorhaus. In cast: Phillips Holmes, Helen Marston. Running time, 75 mins. Reviewed Prince Edward theatre, London, Jan. 22, '35.

'Ten Minute Alibi' as a play was produced over two years ago and is still running in London. It holds the record for continuous performances for many years, having been beaten only by 'Chu Chin Chow,' which continued throughout the war.

After attending the trade show of its filmization, one can readily believe the play deserved its success, and its filming proves one of the most absorbing bits of picture entertainment produced anywhere. This is due not only to the ingenious plot, but to those engaged in interpreting it. Play has been produced in some 20 countries, including New York, and as a picture is

Percentage of success of this feature must depend entirely on how well known the story is to the average picturegoer, or how much exaltation is put behind it. It could be sold purely on its merits and satisfy, but it would be a pity not to give this one a leg-up. It deserves *Jolo*.

**YOUTH OF MAXIM**  
(RUSSIAN MADE)

(In Russian)

Moscow, Jan. 30.

This is the last creation of the Leningrad film directors, Kosintzev and Trauberg. Following the man-

er of 'Chapayev,' new film takes a definite stand on the path of 'socialistic realism,' depicting the epoch of bolshevism. Film pictures the theme of how

working youth found his way  
ward the revolution. With great  
tistic feelings, the directors suc-  
ceeded in giving a number of in-  
teresting episodes of the epoch of

...arist reaction, life of pre-war bourgeoisie and the working class. The film is full both of drama and optimism and is very impressive. It ends with the boy, Maxim, break-

g away from old traditions and  
passing out from his native place  
to the larger world to find a new  
e. *McLove.*

(Continued from page 37)

Du, Oder Weaine (German) (General). Operetta. Gitta Alpar. Dir. Karl Frohlich. 80 mins. Rel. Oct. 16.

Ein Gewisser Herr Gran (Ger) (Capital). Spy drama. Hans Albers. Dir. Gerhard Lamprecht. 70 mins. Rel. Feb. 15.

Ein Mann will Nach Deutschland (Ger) (Ufa). Drama of patriotism. Dir. Fritz Wagner. 80 mins. Rel. Nov. 15.

Ein Teller Muffin (Ger) (Ufa). Farce comedy. Willy Fritsch. Dorothea Wiedekind. Dir. Kurt Gerron. 70 mins. Rel. May 15.

Einige Prinzen Jung Liebe (Ger) (Ufa). Romantic comedy. Willy Fritsch. Dir. Hans Robison. 80 mins. Rel. Feb. 15.

Einmal Eine Grosse Dame Sein (German) (Ufa). Comedy with music. Kaethe von Nagy. Dir. Gerhard Lamprecht. 70 mins. Rel. Oct. 15.

En Gass Gutt (Norwegian) (Scandinavian). From Hjornson's novel. Dir. Carl Frick. 70 mins. Rel. Nov. 15.

Enemigos (Sp) (Inter-Continent). War drama. Dir. Chano Urueta. 70 mins. Rel. Aug. 15.

Escandalo, El (Sp) (Inter-Continent). Dramatic romance. Dir. Chano Urueta. 70 mins. Rel. Sept. 15.

Fahnenhussler, Der (Ger) (Bavarian). Military comedy. Betty Bird. Dir. Eugen Thiele. 70 mins. Rel. April 15.

Flicker, Der (German). Story of a Russian. Comedy with music. Dir. Bauman. 80 mins. Rel. Dec. 15.

Fluchtlinge (German) (Ufa). German refugees yarn in the Far East. Hans Albers. Kaethe von Nagy. 80 mins. Rel. Nov. 15.

Freundin Eines Grossen Mannes, Die (Ger) (Ufa). Theatrical comedy. Kaethe von Nagy. Dir. Paul Wegener. 80 mins. Rel. Sept. 15.

Freut Euch Des Lebens (German) (Ufa). Romantic comedy. Leo Eliazar. Dir. Hans Steinhoff. 70 mins. Rel. Nov. 15.

Frontiere del Amor (Sp) (Fox). Musical romance. Jose Mojica, Roldan Moreno. Dir. Frank Strayer. 80 mins. Rel. Dec. 15.

Frustriertes Gessen (German) (Ufa). Romantic drama. Brigitte Helm. Dir. Arthur Robison. 60 mins. Rel. Nov. 15.

Geheiste Menschen (Ger) (Filmchose). Drama of false love. Dir. Friedrich Fehrer. 70 mins. Rel. June 15.

Geistlicher, Der (Ger) (Capital). Domestic comedy. Gustav Frohlich, Camilla Horn. Dir. Max Neufeld. 70 mins. Rel. May 15.

Gips in Uniform (dubbed English) (Ger) (Filmchose). Dorothea Wiedekind and Herta and Paul Raftoy. Dir. Richard Oswald. 60 mins. Rel. March 15.

Gluck, Der (German) (Ufa). Comedy with music. Dir. Fritz Breger. 80 mins. Rel. Nov. 15.

Granaderer del Amor (Sp) (Fox). Romantic drama. Conchita Montenegro. Dir. Frank Strayer. 80 mins. Rel. Sept. 15.

Heidenschmied, Uwe (German) (Ufa). Nazi back to the farm propaganda. Dir. Carl Heinz Wolff. 70 mins. Rel. April 15.

Heimat am Rhein (Ger). Romantic drama. Lucie Englisch. Dir. Carl Boese. 70 mins. Rel. Jan. 15.

Hell on Earth (Ger) (Garrison) (dialog in five languages). Horrors of war. Dir. Victor Trivaas. 80 mins. Rel. Jan. 15. Rev. Feb. 4.

Hochzeit am Wolfgangsee (Ger). Romantic comedy. Dir. Hans Behrendt. 70 mins. Rel. Jan. 15.

Im Heiderkrieg (Ger). (Germania). Romantic farce. Dir. Carl Boese. 70 mins. Rel. Jan. 15.

Inge und die Millionen (Ger) (Ufa). Romantic crook drama. Brigitte Helm. 70 mins. Rel. April 15.

In the Land of the Soviets (Rus) (Amkino). Newsreel compilation of past year. 65 mins. Rel. July 15.

In Warsaw (German) (Germania) (Germania). Military. Dir. Hans Albers. 70 mins. Rel. Nov. 15.

Is Nani (Hung). Produced, written by and starring Sari Fedek. 80 mins. Rel. June 15.

Juanito y Juana (Sp) (Col). Mexican royalty's fall. Dir. Miguel Torres. 80 mins. Rel. May 15.

Keiserwalzer (Ger). (General). Musical with Johann Strauss tunes. Martha Kiehl. Dir. Friedrich Zeinle. 80 mins. Rel. Jan. 15.

Kalte Marmelade (Ger) (Capital). Romance. Dir. Carl Boese. 70 mins. Rel. Jan. 15.

Karl Skakten (Swedish) (Scandinavian). Romantic musical. Dir. Gustaf Mo. 70 mins. Rel. May 15.

Liebe in Uniform (Ger). (Germania). Military romances. Harry Liedtke. Dir. Georg Jacoby. Rel. Oct. 15.

Liebe Was Verstanden Sein (Ger) (Ufa). Comedy drama with music. Dir. Hans Steinhoff. 70 mins. Rel. Nov. 15.

Lockvogel (Ger) (Ufa). Mystery romances. Dir. Hans Steinhoff. 60 mins. Rel. Jan. 15.

Madamary (Fr) (Taparous). Faithful transcription of Flaubert epic. 70 mins. Rel. Renold. 10 mins. Rel. Nov. 15. Rev. Nov. 27.

Maryska (Pol). Rural romance. Dir. Jan Nowina-Przybylski. 60 mins. Rel. Dec. 15.

Mess Messie (Sp) (Kinematogra). Russian revolt. Dir. L. Kavalieridze. 70 mins. Rel. Sept. 15.

Meine Frau, die Schuttenknechtin (Ger) (Germania). Theatrical farce. Dir. Frank Bittz. 75 mins. Rel. Jan. 15.

Meisterdetektiv, Der (Ger) (Capital). Mystery satire. Weiss Ferdi. Dir. Frank Bittz. 75 mins. Rel. Feb. 15.

Melodia Prohibida (Sp) (Fox). Musical romance. Jose Mojica. Dir. Frank Strayer. 80 mins. Rel. Nov. 15.

Melodie der Liebe (Ger) (Germania). Musical romance. Dir. Georg Jacoby. 70 mins. Rel. Sept. 15.

Mit Dir, Kognis (Ger) (Ufa). Comedy romances. Dir. Hans Steinhoff. 70 mins. Rel. Nov. 15.

Mother Russia (Garrison). Based on a Gorky novel. Dir. V. I. Pudovkin. 70 mins. Rel. June 15. Rev. June 6.

Mutter und Kind (Ger) (General). Comedy (Germania). Military farce. Weiss-Ferdi. 70 mins. Rel. Jan. 15.

Mutter und Kind (Ger) (General). Mother-love drama. Henry Porter. Dir. Hans Steinhoff. 70 mins. Rel. Nov. 15.

My Wife the Miss (Hung). Inter-marriage farce. Dir. Steven Seitzky. 80 mins. Rel. Sept. 15.

Nada Mes Que Una Mujer (Sp) (Fox). Version of "Purrued". Dir. Harry S. Morgan. 70 mins. Rel. Nov. 15.

Oded the Wanderer (Palestine) (Hebrew). Life in Palestine. Dir. C. Halahm. 65 mins. Rel. May 15.

Ory y Plate (Sp) (Inter-Continent). Romantic tragedy. Dir. Ramon Ponce. 70 mins. Rel. Nov. 15.

Parada Rzeczowizn (Polish) (Capital). Military musical. Dir. Michael Waszynski. 75 mins. Rel. May 15.

Petersburg Nights (Rus) (Amkino). Based on two Dostoevsky stories. Dir. P. J. Dostoevsky. 70 mins. Rel. Sept. 15.

Peterson & Bandel (Swedish) (Scandinavian). Comedy-drama. Dir. Frank Strayer. 80 mins. Rel. Feb. 15.

Pretensio del Amor (Ger) (Amkino). Scientific study. Dir. L. P. Pavlov. 60 mins. Rel. Aug. 15.

Prokurator (Polish) (Capital). Tense court drama. Dir. M. Waszynski. 80 mins. Rel. Nov. 15.

Rakoczi Indulo (Hung) (Danubia). Musical romance, with Paul Abraham music. Dir. Steven Seitzky. 80 mins. Rel. Nov. 15.

Rienchule (Sp) (Hoffberg). First Argentine-made pic. Musical romance. Dir. Carlos Boese. 70 mins. Rel. June 15.

Roman Einer Nacht (Ger) (Bavaria). Romantic mystery. Liene Haid. Dir. Carl Boese. 70 mins. Rel. June 15.

Romance Tropical (Spanish). First picture made in Porto Rico. Romantic. 70 mins. Rel. Oct. 15.

S. A. Mann Brand (Ger) (Bavarian). Nazi propaganda. Dir. Frantz Seitzky. 85 mins. Rel. May 15. Rev. May 23.

Schmied, Der (German) (Kinematogra). Comedy. Curt Bos. Dir. Eugen Thiele. 70 mins. Rel. Aug. 15.

Simple Tailor (Rus) (Amkino). Drama of Jewish life. Silent with subtitles. Track. Dir. V. Viner. 70 mins. Rel. Feb. 15.

Sobor na Okean (Rus) (Ratino). Historical romance. L. Ramon Ponce. 70 mins. Rel. March 15.

Sorment, Le (Fr) (Protex). Heavy drama of love. Dir. Abel Gance. 90 mins. Rel. March 15. Rev. March 20.

Sombra de Pacheco Vito (Col). Life of the Mexican bandit chief. Dir. M. C. Torres. 70 mins. Rel. March 15.

Soviet Closeups (Rus) (Amkino). Newsreel compilation. 60 mins. Rel. Sept. 15.

Soviets Greet New Turkey, (Rus) (Amkino). Newsreel compilation. 60 mins. Rel. Sept. 15.

Spiel Mit Dem Feuer (Ger) (Ufa). Domestic relations comedy. Dir. Ralph Arthur Roberts. 70 mins. Rel. Nov. 15.

Spy, The (Polish) (Capital). Drama. 80 mins. Rel. March 15.

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PARIS FOR  
65 YEARS!

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CENTURY'S  
GREATEST SPECIAL!

With Philly Decision Okaying  
Duals, Chi Sees Midwest Going  
Wide Open on 2-Pix and 10c Scale

Chicago, Feb. 11.  
Elimination of all restrictions of any kind is in the offing and the midwest exhibitors are getting ready for a wide-open business in which anything goes and in which no holds are barred. Exhibits and exchanges are momentarily awaiting the final touch-off which will explode all the contractual bonds which have been holding various exhibition practices in check. This explosion to occur with the decision of the federal courts on the complete film by the Astor and Public theatres here.

These theatres appealed to the federal courts for the right to run double features and to sell tickets for 10c. According to reports, the distributors have refused to service houses which operate double features and which sell tickets for less than 10c.

Astor theatre case is the first to come before the federal courts. The Hayas organization is now in serious contention deciding what to do with the situation. Hayas office is handling the entire distributors case in this instance. It being argued better to have the central office negotiate all details rather than have attorneys from each of the eight major districts falling over each other in court.

Astor case has been set for Feb. 15 when the theatre will ask for an injunction and a mandamus writ to force the exchanges to deliver major product for retailing at a dime and for double features, if so desired.

Out of Court

It is reported that the Hayas office will recommend a settlement of the case out of court, feeling that it will be better for everyone concerned to settle the situation before it becomes a public matter.

Exchanges in this territory believe that the settlement will be an okay for dime and double bills, particularly because of the outcome of the Philadelphia case where the decision was outright and explicit.

Expected that if the Astor case is settled out of court the theatre will withdraw its damage suit against the circuits in Chicago and the eight major distributors.

In general, film row foresees a return to twin bill and dime admission in the midwest after a lull of three years. This territory has had brutal experiences with thin silver admission and bargain bills; and the exchange has been a constant with the willing consent of the majority of exhibitors. Houses found that when a few theatres two-billed and sold dime dycats business was okay for them but when all the houses delivered picture bargains at 10c no house benefited since every spot was back on the same plane.

Anxious Exhibits

Exhibitors are already foretelling the result, and are beginning to hurry to the film exchanges to make deals for additional pictures. Fear that if double features come back suddenly they will be left without sufficient product.

Exhibits are in a pretty bad spot this week. All are trying to make contracts with a clause stating that the contract for additional product doesn't go if double features don't come back to Chicago. Exchanges are laughing at these requests.

EXPECT SUNDAY FILMS  
IN PENNSYLVANIA SOON

Lancaster, Feb. 11.  
Confident that Pennsylvania's famed blue laws are about out of the picture, managers here are making plans for the showing of the first Sunday films in the 250 years history of the city.

With Pennsylvania's present administration leaning strongly in the direction of a liberalized Sunday and indications that Sunday fishing sports will be o.k., the managers are planning to use the latter gesture as a wedge to open the seventh day wide open.

Levy Vs. Par Again

Suit which Robert S. Levy brought some time ago via Samuel Zirn, attorney, against Paramount, the Par bank creditors, et al., to force an exhaustive examination into the film-hocking deal, stock repurchases, etc. was reargued during the past week before Justice Cotillo of the N. Y. Supreme Court. Argument at the same time was had on counter-motions of bank defendants for a complete dismissal.

Justice Cotillo instructed both sides to file briefs Saturday (9) and is expected to reach a decision shortly.

F.&M. TURNS BACK L. A.  
CRITERION TO TALLEY

Los Angeles, Feb. 11.  
T. L. Talley, veteran operator of the Criterion, is again at the helm of the house, which reopened Thursday (7) with non-union booth men. House had been dark a week, following several months of operation by Partnar (Fanchon & Marco) as a continued first run of its Paramount line.

Inability of Partnar to come to terms with Projectionists Local 150 prompted it to turn operation over to Talley, although contending to maintain an interest in the house. Reopening picture is Paramount's 'Bengal Lancer', which day previous completed its first run of two weeks at the Paramount.

Immediately following reopening R. W. Haywood, business agent of Projectionists Local, filed a complaint with local NRA execs, charging Talley with violating Blue Eagle requirements on wages for operators, and use of only one man in a booth per shift, whereas American Federation of Labor requirements call for two men.

Academy Bulletin Will  
List Technician Credits

Hollywood, Feb. 11.  
Academy will include technician credits in its Achievement Bulletin, starting with the April issue. Listing will be published quarterly, including members and non-members. Members get a break, however, with full listing of past work, while outsider mention is confined to current pictures.

Achievement Bulletin has been published monthly since last June, citing work of writers, directors and assistants, and producers.

Boulder Dam Locale  
For Cagney 'Backfire'

Hollywood, Feb. 11.  
Next picture for James Cagney will be 'Backfire' yarn with Boulder Dam background.

Story was written by Cy Bartlett and Ralph Block.

Contracts

Hollywood, Feb. 11.  
Rochelle Hudson optioned by Fox for another six months.

Universal handed Verna Hillie a torner for her work in 'Princess O'Hara'.

Warners five-year pact with Olivia de Havilland sealed by court approval. Starts at \$200 a week and hits peak at \$750.

Paramount today a six-month hitch in the writing covenant of Marian Thompson.

Metro put William K. Howard under exclusive service contract as director for one year.

Radio had handed a torner to Johnny Mercer, vocalist-songwriter, formerly with Paul Whiteman.

Dudley Nichols drew a three-year writing ticket at Radio and has been assigned the treatment of 'The Three Musketeers'.

George Cukor signed a new covenant at Metro and is looking over several scripts before deciding on his next picture.

Anyway, It's Cute

Pittsburgh, Feb. 11.  
Mike Cullen, the Penn manager, inlets it happened. A little merchant around the corner has been getting two passes weekly for the usual window-card privilege. Last week, the Penn announced a price reduction from 60 to 40c.

The next day, in popped the store-keeper demanding three passes.

PITT PRICE WAR  
BLAZES ANEW,  
MORE CUT

Pittsburgh, Feb. 11.  
Price war blazed into action again for the weekend when three houses announced a downward slash in order to meet existing competition. Leader was the Stanley, WB deluxer, which dropped from 60 to 40c, to place it on an equal footing with Penn. Quick action was no doubt result of last week's goings, with Penn, at reduced scale, doing better than \$20,000 with 'Bachelor Girl' and 'Casino de Paris' unit, while Stanley, trying to maintain its 40c, top dropped to \$10,000 with 'Right to Live' and George Givot and Isa Ray Hutton on stage.

Alvin, small-seat presentation house operated by Harris interests, came through at last minute with an early-bird matinee price of 15c, from opening until 12:30, continuing with its regular 25-40 scale after that. Previously, Alvin has charged 25c, from opening on. Alvin more than held its own last week, due chiefly to draw of Ed Lowry, long-time local favorite, who came in for a fortnight's stay as m. o.

Battle expected to flare as well in East Liberty's neighborhood sector, where Harris family has just announced a 10c drop, with afternoon scale 15c, in balcony and 25c, downstairs, and two bits for any seat in house at night.

Downtown, Fulton, which a week ago dropped from 40 to 25c, found going pretty tough in its first session at the new prices, playing only to \$3,000, or a few dollars less than the week previous at the higher scale. Flicker, however, 'Night Is Young', was rapped pretty soundly, which may have had something to do with it. Warner, playing duals at 40c, so far only first-run site to maintain its old scale, and alone failed to suffer last week's \$4,700 wipe. 'West of Pecos' and 'By Your Leave' representing its best takings in some time.

Battle, incidentally, is costing Government plenty since 40c ticket win at the new prices, playing only to \$3,000, or a few dollars less than the week previous at the higher scale.

Stanley's reduction will more than likely alter scale all over the entire district since Warner control flock of subsequent-run houses, where the scales are based on those of circuit's downtown ace house. Number of nabes are getting 35c, and maintenance of that scale can't reasonably be expected.

Not For Full Length  
Nor Laurel and Hardy

Hollywood, Feb. 11.  
Influenced by the reception accorded 'Babes in Toyland', Hal Roach and Metro are having prepared another full-length feature for Laurel and Hardy.

Yarn, a fantasy with the locale in India, is being rushed by Frank Butler and Jack Moffett so that picture will be ready for an early fall release.

Title Changes

Hollywood, Feb. 11.  
'Torchebearers', next Will Rogers picture at Fox, has been rechristened 'The Night of the Living Dead'.

Paramount went on a title-changing jag Feb. 5, relabeling five pictures. 'Two on a Tower' becomes 'Paris in Spring', 'Sma' Miracle' goes out as 'Night Dramas', 'Annapolis Farewell' is the new tag for 'Target', 'End of the World' gave way to 'Met Us This Night' and 'College Scandal' got the call over 'Terror by Night'.

Comparative Grosses for January

(Continued from page 10)

DETROIT

	Jan. 10	Jan. 17	Jan. 24	Jan. 31
MICHIGAN (4,000; 25-35-40)	Here's My Girl \$20,000 (Dave Appolon) (Stage Show)	Bachelor Girl \$18,000	Bordertown \$17,500 (George Givot)	Bengal Lancer \$15,000 (Phil Harris)
FOX (5,100; 25-35-40)	Little Minister \$15,500 (2d wk)	Minister \$10,500 (2d wk)	Broadway Bill \$13,500	County Chairman \$13,500
FISHER (2,975; 20-35-40)	Limchouse Blues and Babes in Toyland \$5,000	College Rhythm and Behold My Wife \$4,000	Painted Veil and St. Louis Kid \$3,500	Flirtation Walk and President Vanishes \$2,500

BIRMINGHAM

	Jan. 10	Jan. 17	Jan. 24	Jan. 31
ALABAMA (2,800; 30-35-40)	Gay Divorcee \$5,500	Forsaking All Others \$7,000	College Rhythm and One Hour Love \$8,500 (Split)	Behold My Wife and \$5,000 (4 days)
STRAND (3,000; 25)	Home On Range \$1,500	Silver Streak \$1,800	Heldorado and Paris Interlude \$2,000	Daily Bread and Menace \$1,100
EMPIRE (1,100; 25)	Broadway Bill \$4,000	Bill \$3,000 (2d wk)	Big Hearted \$2,000	Little Friend and Sell Anything \$1,600

SEATTLE

	Jan. 10	Jan. 17	Jan. 24	Jan. 31
FIFTH AVE. (2,400; 25-40)	Bright Eyes \$5,100	Forsaking All Others \$9,000	White Parade \$5,200	Sequoia \$10,200 (J. Parker & W. Hardie)
PARA-MOUNT (3,000; 25-35)	Babes in Toyland \$2,000 (Vaude)	Here's My Heart \$5,500	It's a Gift \$6,000	President Vanishes \$3,200
LIBERTY (1,900; 25-35)	Captain Hate Sea \$5,100	Defense Rests and That's Gratitude \$5,500	Jealousy and Against Law \$3,000	Fugitive Lady and Men of Night \$1,700 (New Low)
MUSIC BOX (900; 25-35)	Chin Chow \$3,500	Little Minister \$5,000 (10 days)	Minister \$1,700 (New Low)	Man Reclaimed \$2,000

WASHINGTON

	Jan. 10	Jan. 17	Jan. 24	Jan. 31
EARLE (2,424; 25-35-40)	Sweet Adeline \$20,000 (Vaude)	Broadway Bill \$22,000	Here's My Heart \$18,000	Bordertown \$16,500
FOX (3,424; 25-35-40)	President Vanishes \$20,000 (Vaude)	Barnum \$28,000 (Command-bardo)	County Chairman \$29,000	Bachelor Girl \$25,000
KEITH'S (1,820; 25-35-40)	Little Minister \$15,000	Minister \$12,000 (2d wk)	Romance in Manhattan \$5,000	Captain Hate Sea \$5,000 (New Low)
PALACE (2,583; 25-35-40)	Forsaking All Others \$24,000	Forsaking All Others \$14,000 (2d wk)	Bright Eyes \$18,000	Kid Millions \$15,000
COLUMBIA (1,233; 25-35-40)	It's a Gift \$7,000	Wicked Woman \$2,000 (4 days)	One Hour Love \$2,000	Forsaking All Others \$2,000 (Repeat)

ST. LOUIS

	Jan. 10	Jan. 17	Jan. 24	Jan. 31
AMBA-SADOR (4,000; 25-35-40)	Lady of Mills \$15,000 (Stage Show)	Lottery Lover \$9,000	Mystery Woman \$9,000	Student Tour \$5,000
FOX (3,000; 25-35-40)	Bright Eyes \$12,000 (2d wk)	Broadway Bill and Woman's \$14,000	Bill and Man \$10,000 (2d wk)	County Chairman \$13,000
STATE (3,000; 25-35-40)	Forsaking All Others \$15,000	Forsaking All Others \$12,000 (2d wk)	Kid Millions \$15,000	Bachelor Girl and Band \$5,000
MISSOURI (3,000; 25-40)	Strange Wives and Marries Are Coming \$8,000 (Stage Show)	Marines and Marines Are Coming \$5,000 (2d wk)	Heldorado and Girl in Danger \$6,000	First World War and Romance \$4,000 (New Low)
SHUBERT (2,000; 25-35-40)	President Vanishes and Babbitt \$9,000	Enter Madame and West of Pecos \$7,000	One Hour Love and White Cockatoo \$7,000	Grand Old Girl and Church Mouse \$6,000

TACOMA

	Jan. 10	Jan. 17	Jan. 24	Jan. 31
MUSIC BOX (1,400; 15-25-35)	Silver Streak and Barnum \$4,900 (Vaude-Split Policy)	Little Minister \$4,700	Secret Bride, Pursuit Happiness and Gentlemen Born \$3,500	Strange Wives and Chin Chow \$4,700
ROXY (1,300; 25-35)	Bright Eyes and White Parade \$5,700 (Split)	Evelyn Prentice \$3,900	Painted Veil, Death On Diamond and Jealousy \$4,100 (10 days)	Lady By Choice and Captain Hate Sea \$2,000

(Continued on page 46)



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# "The GOOD FAIRY"

A Universal Picture with  
**FRANK MORGAN**

Reginald Owen • Alan Hale

Eric Blore • June Clayworth

Directed by William Wyler

Produced by Carl Laemmle, Jr.

Screenplay by Preston Sturges

Translation by Jane Hinton

Associate Producer: Henry Henigson

"Rates tops for universal film fun. And that 'universal' may be spelled with a big 'U' in compliment to the producers!"

—N.Y. American

# Variety House Reviews

## FOX, BROOKLYN

(Continued from page 18)

introduced each act, with rhyme, sometimes even verse. Especially is the little *Goofy* as manipulated immediately following the DeLong turn. The DeLongs, a handsome trio, are girl performers of ability, grace and precision. They make a very attractive appearance and very easily succeed in keeping the audience alert to their balancing stunts.

Therefore, when the four announcing Streamliners, carrying ringing alarm clocks true, out to announce the next act and refer to something about awakening the audience, in rhyme, it sounds screwy.

Red Duet, the contortionist duo, is a hit. Robert Williams, his trainer, appears in white and chatters amiably while propelling the canines through the stunts. The dog appears to be, physically, without a spine.

It might be suggested that the dog platform be moved aside when Red Duet does the single leg hand-spring, so that both sides of the orchestra can see how it's performed. *Shen.*

## ORPHEUM, N. Y.

For the current long half of the week, along with *Forgetting All Others* (MG) on the screen, this uptown Yorkville emporium of vaudeville offers a better than average bill headed by *Mr. Kirk and Howard*. It is well balanced, has satisfactory entertainment value in every one of the five acts, and plays merrily, running time being only 52 minutes.

Two comedy turns answer the demand for laughs. No. 8 spot holding Paul Kirkland, while the Mills-Kirk-Martin trio are next to closing. Latter act improves as it goes along and apparently sending that slapstick is on the wane, is gradually getting this down to minimum. The boxing and freeman bits, though latter is about word for word with part of a sketch Smith and Dale did years ago, are happy additions. Kirkland is doing the same act with the ladder, paper cone and the two chairs, using an unbelieved girl to help laughs for the finish. His paper cone, burned up on him at the Friday night show, it's not supposed to burn down all the way for the purpose of the balancing trick.

A singer with an appealing quality in her voice, Andrea Marsh, is second. She's a good No. 2 act with a group of four numbers, including her own rumba arrangement of "The Continental." It doesn't particularly improve upon the good number of Winnie and Dolly serialists, open the show, mixing novelty into their

clever trapeze work, while a five-piece dance flash, Joe Rio and Frances Willis (New Acts), tells Joe Rio was formerly of the Elliotts and the Lee Twins, while Miss Willis for years was the partner of Jay Crosby. Rio is a good, aided by three young lads is here with a good act.

Teddy King still bosses the orchestra at here. Business fine Friday evening. *Char.*

## HIPP, BALTO

Baltimore, Feb. 8

Dorsey Bros' act (11), with Bob Crosby vocally accompanying, headline this week's menu. After three turns have trotted through their tricks up ahead, the headlining line-up close with a 21-min. chore that highlights the bill, bringing it in safely after some weak moments experienced during the three preceding acts.

The ork vents a muted, stylized brand of muscling. Handing his assignments with a masterly touch and backgrounds the specialist embraces in the show with swell support. First specialist subbed on ork's femme warbler, Kay Weber, a looker possessed of piercing, piquant speech and much manner. Her reforms from the band retinue and scores with some novelty chanting; she is the three, the bespectacled horn player, should get more opportunity; he could mean something if he didn't lose his apparent abilities as a comic.

Crosby, when caught, was nervous and ill at ease, and his singing rendered his voice hoarse. He is the fibre of his brother's, Bing but it is rather a close approximation. However, he is to be congratulated that he doesn't see the yocness of his established frater, nor does he select songs that are out of date. As the act is routinized now, there is a period during which Crosby is left to his own to a special arrangement of a number, first and final part of which is vocalized. It is during this interval that the warbler evinces his chronic nervousness; re-routinizing might circumvent that. Also, he should do something about the sameness of his gesturing while singing.

Three Queens, hooding *Isaella* are embodied in the Dorsey band turn. It seems the twentieth time this bill has played Balto this year. They play some standard rhythm tapping that's okay.

Ahead of the Dorsey aggregation is 15-min. act of Maud Hilt and her femme foil, didn't collect much when they were first played here. The palaver that consists of a wad of moss-backed gags that have been heard too often. The gals must start some dueting near close, but after a few bars, desist.

In the deuce, Jackie Green, youthful imitator, for 10 mins. Displays a standard repertoire, Penner, Jessel, Durante, etc. Lad has developed his work since he has manifested from the Benny Davis revue. He did all right for himself with this audience; and all the seven subjects of his take-offs were of a high level of fidelity.

Opening, the Du Ponta man and woman, hoke the fancy jugglers. Standard act that has played repeatedly here. Man wears chapeau make-up to accentuate his hokey moments, the femme works straight. Good enough opener.

"Enchanted April" (Radio) on screen.

## CHARLOTTE'S FILM STUDIO

Charlotte, N. C., Feb. 11  
W. Crowell Thompson, architect, has completed plans for the studio building for Southern Motion Picture Studios, W. S. Fellows, manager. Studio situated five miles from Charlotte.

## LOEW'S STATE, N. Y.

Take exceptions on Everett Marshall and Al Nord at the Loew's. This show is a symphony in acrobatics. It's a case of conflict becoming more and more frequent in the combo and especially hurting in making the tag vaudeville a misnomer. What should be actually a medley of acrobatic and when two acrobatic dancers of widely varied talent are spotted almost immediately following one another in a case of questionable judgment.

The saving graces of the show are Buster West (New Acts), and Marshall and Clifford, but especially Marshall. He makes what is actually a mediocre act worthwhile in his four-song, 16-minute session, proving his merit in vaudeville as he has on the musical stage.

Acrobatics begin with the opening Park and Clifford, excellent hand-balancers in abbreviated Roman togas, muscled during the Marshall and Nord and Jeanne turns, but then comes back with a vengeance in the closing act, and the closing Helen Compton all-girl ork. Miss Page is one of the tops in her line of work, while Andrew Gibson, who follows her a few minutes as specialty with band, has some distance to go. The last act is a comedy team with the Compton band following Miss Gibson. Orchestra sub-average even for femme combinations. The act is completely uninteresting, shaded music and letting the trumpet section too away for all it's worth. The act is a comedy team and an okay singer, but hardly strong enough to hold up the band and overcome a stale "Last Round-up" finale.

In the deuce Nord and Jeanne are but mildly diverting, the femme impersonator is a looker, the comedy and baby representation, Chubby Nord's banjoing and straightening are good, as is Jeanne's singing and dancing, but it needs speed most of all.

"Forgetting All Others" (MG) and "March of Time" make up the rest of the show with the 69 minutes of vaude. Biz good Friday night.

## EMPIRE, PARIS

Paris, Feb. 1.  
Con Colleau proves again this fortnight that he is an ace attraction. He is completely disarming, somersaults, backflips and forward, had the crowd gasping, and the hall was absolutely silent for nearly a minute while he got ready for the spring, breaking out into applause when he finally did the stunt.

Mitty Goldin had to outbid other houses and circuits to get Colleau. Medrano would have taken him, but he saw too expensive. Colleau is living up to tradition it revived in taking back two-day, and proving that class pays.

Three Fratellinis are also on the bill. These famous clowns have lost a lot of their draw in past couple years. The hitboxer's sense of humor started shouting over them a while ago, and that doesn't seem to have done them any good as entertainment. Their act depends more on props than on real clowning these days. Paris, however, is glad to see them back after a long period of road tours which followed the Cirque d'Hiver flop.

Frehel, old-time femme singer with a voice way down cellar, goes in for sentimental apache songs, is another of the good numbers here. The show, but it's a number (seven men and one woman) also get a good hand. MacWynn Foursome, tank tap dancers, work hard but don't do over big here. Paris is a bit tired of this type of dancing. French haven't the sense of rhythm of Americans. The stairway dance of this team got the admiration of the audience for its precision, but left it cold.

Geo. Doris, satire specialist, of purely local interest, rounds out the bill successfully. *Bern.*

## EMBASSY, N. Y.

(NEWSREEL)  
Held over on this week's clip melange are the film and sound track excerpts from Bruno Hauptmann's cross-examination. They not only again constitute the main saloon of the show, but it's hard to account for a hefty draw. Mid-Saturday matinee offered for this spot the unusual spectacle of the customers standing two deep in back of the auditorium. Hauptmann-Wilents exchange carries the Pathe latest, *The Life of Napoleon*. Pathe refused to heed the New Jersey Attorney General's demand that the newsreels show the cross-examination clips until after the end of the trial.

Of the new spot shots on the bill, Paramount scooped up the first pictures from the Gran-Chaco sector. Cameraman in this case had gone quite close to the front and captured at least a couple scenes, which spell realism with a vengeance. One battle bit, bound to bring a shudder from the audience, is that showing one soldier after another going down under the

shell bombardment. Clip represents a commendable piece of editing and restraint on the part of Pathe. Another clip for Par was the interview with the sign-toting A.K. who returned the \$45,000 in negotiable bonds he had found in Wall Street. Neat touch-off to the clip's exceptional wealth of human interest was the fellow's remark about his sitting on top of the world.

Pathe accounts for plenty of excitement and chuckles with its transcription of the recent Golden Gloves event in New York, and takes another laurel with the treatment given the question of security in old age. After explaining the highlights of the Wagner bill, the clip presents the head of the American Federation of Labor for a few words on the subject and rounds out the symposium with a few opinions from the man on the street. Surefire for a laugh was the final interviewer's remark that if more taxes could be put imposed upon him, he doubt whether he will be able to live to an old age. Another current topic that Pathe handled in interesting fashion was the gold case pending before the U. S. Supreme Court.

Par effectively brings home the tragedy caused by poisoned upon in upper New York State recently, showing the stuff confiscated at the source by Federal agents and trotting out a government official to deliver a warning against touching anything but the *Goofy*. Same newswear is responsible for the few light moments that are to be derived from the share-the-wealth speech that Huey Long uncoined before the Georgia legislature. *Odeco.*

## F. D. TAKES TOPICAL'S INDIE

First Division has taken "Dealers in Death" for distribution in the U. S. under a deal with its producers, Topical Film.

## COLISEUM, N. Y.

House goes collegiate in a mild way. Columbia University band, dubbed the Blue Lions, fill the last position, diving into collegiana and some current pop tunes. Audience half and half with children and adults, so the reception was fair enough. Eddy Burton's pit ork takes advantage of the situation and also plays school songs. Nothing particularly exciting in the program on view.

Nayon Pearce and Donald Carthy have a dance act which never quite jells as expected. Simmers down to a straight dance drama at the end, with a tenor warbling about the rise and fall of a famous beauty named Gabrielle. Thunder and lightning effects while the gal disappears into the arms of Satan. Male hooper does a Paul Draper solo on a group top hat. Spotty when seen at this showing.

Four Albee Sisters are on first in white raincoats and umbrellas for a stormy weather arrangement. Then some chamber music, song specialties and what not. Voices thin in comparison with the rhythm girls who flood the midway.

Carl Shaw works hard at his offering, which is silly yet filled with a stormy weather arrangement. Two assist in the act for brief acts. Harry Rose next-to-closing to sing about the big event over in Canada and receiving a bouquet of vegetables from the orchestra. Back for an encore.

Columbia University Band includes 14 players, appearing in the traditional school blazers, etc. Peggy Mann is the only one to vocalize, but her two numbers prove that she has the best voice in the current bill. Jimmy Warren explains that Columbia is not far from Harlem, with the band swinging into hot-cha of that sort. Seven minutes in all for the students. The County Chairman (Fox) on the screen. Good house.

## TO BREAK UP THE MONOTONY OF

Algiers, Antoine's, Boulebaïse, Grayfish Bisque, Croole Gumbo, Cropes Suzettes, Jefferson Park, Lake Pontchartrain, Madam Begues, Magnolias, Mint Juleps, Oysters, Old Absinthe Horse, Pernod's, Shrimps Remoulade, Tulane University, Warm Southern Skies and THE MARDI GRAS CARNIVAL

## THERE WILL BE

Important discussions on Better Theatre Management—Advertising and Selling—The N. R. A. Code—Problems Confronting Theatre Owners

when you attend the 15th annual convention for members, friends and guests of the



Write or wire to Roosevelt Hotel, New Orleans, for reservations at special MPTOA rates! (Reduced rail-road fares too!)

MOTION PICTURE THEATRE OWNERS OF AMERICA NEW ORLEANS—FEB. 25-27



## BUSINESS MANAGER

Have opportunity for live wire who thoroughly understands the business of picture distribution and has active releasing contacts.  
Write Box 5, Variety New York City

After Producing Stage Shows at the Oriental, Chicago, for 10 Months

## MARJORIE ALTON

With Her Streamline Dancers

Now at the Fox, Brooklyn

Thanks to SI FABIAN and ZAC FREEDMAN

## GOMEZ AND WILSON

GROSVENOR HOUSE, LONDON INDEFINITELY

## Reduction in C. A. Rates

(Continued from page 7)

planning consultant, after protracted questioning drew from the exhibitor a promise that the \$36,283 surplus on hand Dec. 31, 1934, will be applied against the 1935 collections and that every contributor will be given a credit for overpayment last year.

Although details were not arranged, pending final collections from exhibitors, the January financial statement, and receipt of affidavits from distributors, the hearing resulted in a promise that equitable adjustments will be made so that neither branch of the industry pays more than half of the total administration cost and that every 1934 contributor receives a proportionate cut on his 1935 bill.

Warning that confusion might occur, Flinn for a while urged that the adjustment be postponed until the second half-year assessment was due, but three of Deputy Administrator Farnsworth's advisors displayed sharp disapproval of this idea. To Flinn's objection that a cut in the first-half rate might have to be followed by an increase in the second-half levy, Nelson and his colleagues suggested that the nominal assessment rate be left unchanged but that a paper credit be granted all 1934 contributors. This idea eventually received Flinn's acceptance.

Government officials appeared pleased at Flinn's report that 1934 operations were conducted at a saving of \$11,806 and that C.A. outlays were below schedule every month from July to December but demanded full explanations of the reasons for the contemplated sharp increase in administration costs this year.

Little concern was shown with the exhibitor assessment plan, but numerous questions were asked about the fairness of the producer-distributor collection method. Possibility of revision of the latter system was seen in the attitude of several of Farnsworth's advisors.

Contending that the compromise method had worked 'very satisfactorily,' Flinn defended the system as being most equitable to all units affected. Suggestions that a uniform percentage tax be employed were nixed by the executive officer who noted that under such an arrangement affiliated producers would be hit twice and be forced to shoulder an unjust burden.

The sliding percentage scale was

adopted as 'the fair thing to do,' Flinn related, terming the indie distributors' assessment 'nominal.' Up to Jan. 1, 1934, the exhibitor had paid \$126,620 of the \$180,000 due, Flinn noted, expressing doubt that the payments by indies in the lower brackets would reach the anticipated 10%.

Nine major distributors paid 32% of the total due from the producer-distributor branch, C. A. officials asserted and in addition contributed \$50,000 to the exhibitor assessment. Two majors paid approximately \$30,000 each, he said, as a result of being subject to two distinct levies.

Concern over the C. A. income the year was revealed when Flinn emphasized that administrative costs were met by 'purely-voluntary' contributions and explained that the code provides no machinery for forcing recalcitrants to ante up. Flinn said that this year's revenues 'will fall very materially short of expectations' for this reason.

The possibility of taxing producers directly on a percentage of their gross revenues was dismissed when Flinn termed this method impractical and difficult.

**Vaude Labor**  
The expense of providing separate machinery for enforcing vaudeville labor clauses was cited as one of the reasons for the anticipated increase in C. A. expenditures this year. Flinn noted that regional committees will be established in New York, San Francisco, Chicago, and Boston, and that \$41,000 of the increase is due to this item alone. Other factors mentioned were the existence of local boards for a full 15-month period, and increased volume of work.

The sole industry complaint from the New England indie exhibitors—received slight attention when Flinn said that efforts to include more variables in the assessment method would be futile. The protest charged that while producer-distributor assessments are based on ability to pay and determined by gross revenues, exhibitors in the lower brackets are compelled to pay a greater proportion of their grosses than the deluxe and large-city houses. New England group proposed that each exhibitor be given a nominal basic rating determined by the number of shows weekly, seating capacity, and box office sales, but Flinn objected that frequent

policy-changes by house operators would complicate the system so much that it would be unworkable.

The 1935 budget, predicated on an assumption that Congress will extend the Industrial Recovery Act for another year at least, calls for a total outlay of \$350,575.01, against actual expenditures of \$294,925.15 in 1934. Major increases are noted under the headings of 'salaries' and 'general expenses,' with a slight increase for 'office expense' and a 50% cut in 'other expense.'

The clause by which distributors will charge a major part of their fees against the producers proved a knotty problem for government attorneys but Saturday (9) Farnsworth said the language was pretty well set. Polishing up will be completed some time this week.

Under the proposal, each distributor will act as Code Authority agent in collecting from producers and will charge off a percentage of the bite in accordance with the share of the gross received by the producer. Idea was illustrated as follows:

If distributor A handles \$100,000 worth of rentals for 10 producers on a 70-30 split, each producer would kick in seven-hundredths of the distributor's code levy. Distributor would pay 30% of his assessment.

Design of both code and Government is to phrase the clause in such a way that individual distributors will be able to use a definite yardstick in allocating the cost against the producers, and so that at the same time the C. A. can move in on any recalcitrant producers who hold out. Distributor would not be held responsible for failure of producer to pony up.

Purpose behind this method is to eliminate tedious and voluminous clerical work required in billing scores of producing corporations individually and in obtaining revenue figures from each studio.

## AGENT'S SUIT VS. PIC PAIR TRUCED BY ATTY

Hollywood, Feb. 11.  
Prospective court action by Ruth Collier against Myrna Loy and Verree Teasdale—contingent that the two players had unavertedly cancelled their agency pact; has been stayed off by amicable arrangements effected by Attorney Harry B. Sokolov, representing the two players.

No communications were involved. Miss Loy and Miss Teasdale subsequently signed with the Joyce Selznick agency.

## Darmour Borrows Pair To Share 'Thunder' Lead

Hollywood, Feb. 11.  
Leads in Larry Darmour's majestic picture, "Thunder in the Streets," to Donald Cook, borrowed from Columbia, and Irene Harvey, a Metro loanout.  
Production starts Feb. 16; Bury Lynwood directing.

## Jacobson at Mascot

Hollywood, Feb. 11.  
Mascot has signed Sam Jacobson to supervise 'Headlines,' yarn based on newspaper crews.  
Picture gets the gun next month.

## \$200,000 Theatre Blaze

Charles City, Ia., Feb. 11.  
Hildreth theatre, town's largest, was destroyed by fire Friday (9) and the Hildreth hotel gutted in a \$200,000 blaze that started in an eatery adjoining, following an explosion in the basement.  
Fire occurred just before theatre time and no one in the house except attaches. Hotel was filled and there was a wild scramble for the open. Firemen from two nearby towns were called in order to confine the blaze to the business block. Losses fairly well covered by insurance.

## Story Buys

Hollywood, Feb. 11.  
Ask Mrs. Foster original by Joseph Santley, taken by Warners. Gene Markey, 'Champagne Charley' to Fox as star for Edmund Lowe.  
Radio has bought 'Alma Adams,' Booth Tarkington yarn, for Katharine Hepburn.

## Comparative Grosses for January

(Continued from page 42)

### NEW HAVEN

	Jan. 10	Jan. 17	Jan. 24	Jan. 31
<b>PARA-MOUNT</b> (2,400; 50-50) High.. \$21,000 Low.. 2,600	Here's My Heart and Grifon Flash \$10,200 (10 days)	Enter Madame \$9,800 (Thursday)	Evening and President Vanishes \$5,400	By Your Leave \$7,700 (Benny Davis)
<b>POLIS</b> (5,000; 45-55) High.. \$20,000 Low.. 4,200	Barnum and Mills of Gods \$9,000	Forgetting All Others \$14,500 (10 days)	Bright Eyes Lottery \$10,500	Broadway and I've Been \$10,500
<b>SHERMAN</b> (2,200; 50-50) High.. \$18,000 Low.. 1,500	Bordertown and Maple H's \$4,800	Secret Bride and Grand Old Girl \$4,800	Romance in Manhattan \$5,000	Imitation Life \$5,000 (8 days)

### MONTREAL

	Jan. 10	Jan. 17	Jan. 24	Jan. 31
<b>PALACE</b> (2,700; 50) High.. \$18,000 Low.. 2,500	Bright Eyes \$10,000	Painted Veil \$10,000	Little Minister \$5,500	Flirtation Walk \$11,000
<b>CAPITOL</b> (2,700; 50) High.. \$30,000 Low.. 5,000	Here's My Heart and Father Brown \$9,000 (Stage Show)	Green Gables \$5,500	Bordertown \$5,000	Imitation Life \$8,000
<b>LOEWS</b> (2,300; 50-50) High.. \$18,000 Low.. 3,000	Enter Madame \$12,000 (Benny Davis) (Vaude)	St. Louis Kid \$10,000	President Vanishes \$11,000 (Ed Brendel)	Kentucky Kernels \$11,000
<b>PRINCESS</b> (1,900; 50) High.. \$25,000 Low.. 3,500	Kid Millions and Fugitive Lady \$11,000	Millions and Lady \$9,000 (24 wk)	Captain Hates Sea and Name Woman \$5,500	Barnum and White Lies \$5,000

### MINNEAPOLIS

	Jan. 10	Jan. 17	Jan. 24	Jan. 31
<b>STATE</b> (2,400; 50-50-40) High.. \$25,000 Low.. 2,200	Here's My Heart \$5,500	Barnum \$9,000	Forgetting All Others \$10,000 (9 days)	Bengal Lancer \$5,000
<b>ORPHEUM</b> (2,000; 50-50-40) High.. \$25,000 Low.. 2,000	Little Minister \$17,500 (Benny Meroff) (Vaude)	Broadway Bill \$15,500	Bill \$9,000 (24 wk)	Lost Lady \$5,000
<b>LYRIC</b> (1,800; 20-35) High.. \$17,000 Low.. 1,200	St. Louis Kid \$2,500	Kentucky Kernels \$3,000	Father Brown \$1,400 (6 days)	Band Plays On \$1,500

### KANSAS CITY

	Jan. 10	Jan. 17	Jan. 24	Jan. 31
<b>MIDLAND</b> (4,000; 15-25-40) High.. \$35,000 Low.. 5,100	Forgetting All Others \$23,000	Forgetting \$7,845 (24 wk) (6 days)	Night Is Young \$7,000	Bachelor Girl \$9,700
<b>MAIN-STREET</b> (3,000; 25-40) High.. \$35,000 Low.. 3,300	Babbitt \$14,000 (Spices of 1935) (Vaude)	Sell Anything \$8,000 (4 days)	Romance in Manhattan \$5,500	Grand Old Girl \$13,000
<b>NEWMAN</b> (2,000; 25-40) High.. \$35,000 Low.. 4,000	Sweet Adeline \$6,000 (5 days)	Bordertown \$7,000	Bengal Lancer \$15,000 (24 wk)	Lancer \$5,500 (24 wk)
<b>UPTOWN</b> (2,000; 25-40) High.. \$35,000 Low.. 1,500	Bright Eyes \$7,500	Eyes \$4,000 (24 wk)	Imitation Life \$5,500	Life \$3,200 (24 wk)

### PORTLAND, ORE.

	Jan. 10	Jan. 17	Jan. 24	Jan. 31
<b>B'WAY</b> (2,000; 25-40) High.. \$21,000 Low.. 2,500	Babes in Toyland \$4,700	Bachelor \$6,500	Girl \$5,500 (23 wk)	Night Is Young \$4,400
<b>UNITED ARTISTS</b> (1,000; 25-40) High.. \$13,200 Low.. 1,200	Barnum \$6,500	Barnum \$4,500 (24 wk)	Forgetting All Others \$7,500	Forgetting \$4,500 (24 wk)
<b>PARA-MOUNT</b> (3,000; 25-40) High.. \$16,000 Low.. 3,000	Bright Eyes \$9,300 (Vaude)	Here's My Heart \$6,700	White Parade \$5,500	County Chairman \$5,800

### TRAILER CO.'S NAMES

National Screen Service Engaging Acts for Trailers

The trailer business is becoming a new field for actors. Developing a new type of screen advertising, National Screen Service during the past week signed Stoppig and Budd through the William Morris agency to work in six trailers of a new style.

National will sign a Broadway columnist to work in others. Ed Sullivan or Louis Sobol may be sought. In one trailer already completed National paid Thelma Todd \$500 to do a little scene in a trailer on 'Biography of a Bachelor Girl,' using other actors on the Coast at lesser salaries in trailers for this and other releases.

National Screen's specially-produced trailers are largely a result of Warner Bros. and Metro making its own trailers.

### BROWN NO LIKE STORY, NIXES 'TIGER' CHORE

Hollywood, Feb. 11.  
Dissatisfied with the treatment of the story, and claiming that principal parts are miscast, Melville Brown asked for and was given his release from the director of Fox's 'Man Eating Tiger' after it was in production a week.

Clyde Bruckman, borrowed from Columbia, takes up where Brown left off.

### PAR'S TITLE SHIFTS

Paramount is going through the throes of wholesale title-changing. 'Night Drama' is the new handle for 'Small Miracle.'  
Third title-change made on the Mae West picture to 'How Am I Doing?' and Dietrich's new 'Devil Is a Woman.'

## New York Theatres

### PARAMOUNT TIMES SQUARE

**CLAUDETTE COLBERT**  
"THE GILDED LILY"  
with TRED MACMURRAY  
Directed by WESLEY BUGGLES  
MIDNIGHT SHOWS EVERY NIGHT

### RIVOLI

New York Premiere, Feb. 15  
SOMERSET MATHIAS  
"THE RIGHT TO LIVE"  
with GEO. BRENT-JOSEPHINE HUCHINSON, and All Star Cast

### RKO THEATRES

86th ST. CHARLIE CHAN  
IN PARIS  
at  
EVERGREEN GIRL  
Tues. to Thurs. Feb. 12 to 14  
81st ST. SILVER  
STREAK  
on  
EVERGREEN GIRL

### FOR DINNER AND AFTER-THREATS

**Folies Bergere**  
3 DANCE ORCHESTRAS  
FRENCH CASINO  
7th Ave. 51 South St. COL. 8-7070

### ASTOR

8th Ave. 44th St. At Popular  
Prices  
"WINNING TICKET"  
with LEO CARILLO

### CAPITOL

Fourth Big Week  
**DAVID COPPERFIELD**  
with BOB HOPE and JIM HENSON  
Plus - An Unusual Capitol Stage Presentation

### STATE

Joe CRAWFORD, Clark GABLE  
Robert MONTGOMERY in M-G-M's  
"Forgetting All Others"  
Extra-Screen Attraction—"March of the Clowns"  
On Stage—Evelyn Marshall—5 O'Clock  
Show—Plus a "Bongal Lancer"  
Plus—A "Bongal Lancer"

### NEW STRAND

Wed. Night 7 p.m.  
**JIM CAGNEY**  
25c to 1 p.m.  
**PAT O'BRIEN**  
in "Dust of the Air"  
Competition's First for Warner Bros.  
Last Year—Paul Muni in "Bordertown"

### RADIO CITY

ROCKEFELLER CENTER  
**MUSIC HALL**  
**LESLIE HOWARD**  
and **MESSE OBERON**  
in "THE SCARLET PIMPERNEL"  
An Alexander Korda Production  
ON THE STAGE—"THE MURDER"  
Brilliant New Extravaganza

### ANY DAY

On the "Jack Ahoy"  
with JACK HUBERT  
Gala New Stage Show  
with GYPSY HINA—Others  
50c to 1 p.m.  
**ROCKY**  
MIDNIGHT SHOW TONIGHT

### MAYFAIR

Broadway at 47th St.  
N. Y. Premiere—Warner Bros. Pic.  
"Maybe It's Love"  
Midnight Show Tonight



# LOCAL LIVE TALENT BOOM

## Gallup, Hettinger, on 'Circulation'

NBC has far from contrived the perfect system of determining the listening circulation of a station, says Dr. George Gallup last week in commenting on the new coverage maps that the web is making available to the trade. For NBC the job, said the research director for the Young & Rubicam agency, represents a distinctive advance, but the method used is shot through with shortcomings, and reveals that radio is still a long way off from being in a position to talk convincingly about audited circulations.

What caused him to question the method particularly was the arbitrary way in which the network in manifold instances decided which county could or could not be claimed by an affiliate. Gallup doubts whether another group of experts in blocking off the coverage area of the same station would draw anything like the same conclusions from the mail response which NBC used in its primary and secondary listening calculations.

Knot into which broadcasting has tied itself in trying to tab circulation is reflected by the quandary that H. M. Hettinger admits that he is in. Hettinger, who has written a book on commercial broadcasting, got a leave of absence from his professional berth at the University of Pennsylvania to develop a 'bureau of circulation' for the National Association of Broadcasters. After several months of effort, Hettinger declares that he has found holes in every system he and his associates have worked on and that he is beginning to wonder whether the whole idea of attempting to pin a station's listening circulation by a definite set of principles isn't hopeless.

## 'X Marks the Spot' Where Fan Mail And Signal Strength Coincide; Kobak, James Tell Trade Press

At a luncheon Friday (9) in the Advertising Club, New York, some 35 editors of business and trade publications, heard Edgar Kobak, vice-president in charge of sales, and E. F. H. James, manager of the sales promotion department, explain the basis upon which the National Broadcasting Company has arrived at its circulation figures, which in turn are the foundation for the new time rates of the web. Coverage map for the Cleveland area, was analyzed as a particular case.

In his remarks Kobak facetiously referred to himself as vice-president in charge of confusion, and James later gagged that whereas Kobak had held in general confusion, he (James) would get down to specific confusion. This was a recognition on NBC's part of the bewildering maze of facts, figures, maps, and charts, which are the cornerstone of the whole circulation question. Separated from its statistical patterns and the technique of procedure employed, the NBC presentation stems from two roots: first, signal strength measurements, and second, fan mail tabulations.

**1,500,000 Letters**  
NBC has spent \$250,000 to gather the facts, Kobak stated. Engineers tested by the half-million-volt tape the entire signal of the combined NBC service. This in itself, it is claimed, is the most complete engineering picture of a network ever taken. Over 1,500,000 fan letters (not contests, just run-of-the-post stuff) were coded, classified and indexed, down county by county throughout the nation. As the largest previous sample of radio fan penmanship ever broken down only included 225,000 letters, James pointed out that the conclusions from 1,500,000 letters are mathematically much more reliable and cancel out many elements of error that might be present in smaller masses of statistical data.

Stress was made on the fact that the NBC network picture as a whole is not a patchwork map made up of the combined regional breakdowns. Network as a unit is analyzed independently of the component stations.

There will be published within the coming fortnight an elaborate book containing the maps and detailed explanations of the findings. Some 5,000 copies costing \$8 apiece will be printed for distribution to sponsors and advertising agencies.

While confessing its own realization of the shortcomings of any agency purporting to demarcate radio circulation, NBC advanced the thought that its labors in the

## CONNIE'S COMMERCIALS

American Program Builder in International Radio Shows

London, Feb. 6.—Ed R. Conne, former booking manager of Sound Studios, Inc., New York, who recently established himself here in the program building business, has four commercial shows running on Post Parisienne, Paris. They are the Krushen (Sally) Family Party, L'Orie (Lipstick) Tango Time, Gene Demia, mentalist (Wincarnie) and the Ingersoll Slumber Hour.

Conne's firm is the Universal Programmes Corp. Ltd.

## WOR Ups March 1

WOR, Newark, figures on shifting from 5,000 to 50,000 watts for its daily schedule Mar. 1. Meanwhile the station is testing its new transmitter nightly after 1 a.m. Ballyhoo over the increase of power will be withheld by WOR until the second or third week of March. Other stations in the Mutual network will take part in the celebrating program.

## Manashevit on ABC

### For 7-Week Commers

Chicago, Feb. 11.—Manashevit company readying a program to go on ABC. Will be a seven-week session starting on March 8, for a 30-minute gallop every seventh day.

Scheduled to be an early afternoon period on Sundays.

## Wayne Miller at KHJ

Los Angeles, Feb. 11.—Wayne Miller, recently with the Charles Mayne Advertising Agency and previously radio editor of the Los Angeles Examiner, has joined KHJ and the Don Lee network as publicity director.

Miller succeeds David Hoenan, who resigned a week ago for a publicity spot with a San Francisco outfit handling Hawaiian burles.

vineyards of density of signal and density of response had taken the ideal of audited circulation a step further toward actuality.

This ascribed to William Rouse and Bill Young of NBC supplemented Kobak and James in greeting the trade press.

## \$13,500,000 FOR NATIONAL SPOT

Tendency Away from Wax Notable During 1934, Compilations Reveal

## REGIONAL WEBS UP

Outstanding development in the field of national spot broadcasting in 1934 involved the wholesale switch of advertisers to local live talent. Hit hardest in this phase of the industry was the spot announcements of one minute duration. Classified plug of national calibre is estimated to have dropped off close to 50% as compared to 1933. Use of phonograph records by commercials also came in for a sharp clipping.

Next to the rush among national advertisers for the local live talent bandwagon the past year's noticeable trend was the huge increase of business for regional networks from national sources. Of appreciable aid to this latter development was the live talent angle.

Broadcasting all around in 1934 grown from the sale of time around \$78,000,000. National webs accounted for \$42,800,000; national broadcasting, \$16,000,000; national spot, \$15,600,000. Transcription makers are figured to have derived about \$3,000,000, while live and recorded talent came in for another \$20,000,000. Average talent cost for web programs figured close to 36%.

### Spot Broadcasting

Of the \$28,500,000 taken in from local and national spot business live programs led off with \$15,000,000, or 48% of the total, while spot announcements accounted for \$8,500,000, or 29% of the total. Electrical transcriptions for \$5,500,000, or 22% of the total, and phonograph records, \$500,000, or 2% of the total. As compared to the previous year, time national spot expenditure via transcriptions jumped 30% in 1934, while the same field gave live talent programs a boost of 65%.

In commenting on the marked decline in spot announcements, one of the major ad agencies averred in a memorandum for inter-office attention: "This trend is of particular significance. Advertisers are turning to this use of radio almost as eagerly as they rushed into radio three or four years ago. The mortality has been almost as great."

We have always felt that spot announcements were a good buy for the advertiser with a fast news story, a price change, or a 'stunt' message to tell. For all others they were too fleeting in their impressions to be a good investment. Apparently other advertisers or their agencies are beginning to agree with us."

## New Pennsylvania Regional Web

10, Maybe 13, Stations in Iron Area—Claim Networks No Competition

Philadelphia, Feb. 11.—Keystone Network, a co-operative web of Pennsylvania indie stations, is in process of organizing. Understood organization is under the guidance of Lou Jacobson, former program director of WFEN, Phila., who is operator from offices at WRAX in Williamsport.

Purpose of the web is to bring better quality shows to small towns in the central part of Pennsylvania, where, it is claimed, the major networks do not reach because of physical conditions. This ascribed to iron ore in mountains and geographical locations in valley sections. As a result, the local sta-

## St. Paul-Minneapolis Stations Organize to Curb Chiseling Agencies with Dubious Credit

### Friendly Enemies

Pickens Sisters have been barred from sustaining periods on NBC as long as they are connected with the Gulf Refining station, on Columbia, even though the trio is paying a commission to the NBC Artists Service from that commercial.

Harmony act recently signed a two-year extension of their NBC management contract.

## STATE OF IOWA RAPS BAKER

Des Moines, Feb. 11.—Norman Baker, at present interested in Mexican radio properties, wants to re-establish himself as a radio station in Iowa at Muscatine. Iowa's Federal Communications Commission, has stated that the state of Iowa will oppose any effort by Baker to establish a station within the confines of the state.

Baker is seeking, according to Iowa information, to operate a 5,000 watt on a 1,170 kilocycle band, the application scheduled to come up for hearing before the commission this week. An extension of time is sought in order to give the state of Iowa more time in which to file a resistance to the proposed station. Pettitioner, now in Mexico, has contempt proceedings still facing him in Iowa courts in connection with an injunction issued preventing him from practicing medicine in Iowa without a license.

## Pete De Lima Back East

Los Angeles, Feb. 11.—Pete De Lima, who has been in charge of the Thomas Lee Artists Bureau for a year, has resigned to return to the CBS Artists Bureau. De Lima leaves here Feb. 16. He will be succeeded by Robert Braun, who has been his assistant.

### Dave Simon to Norfolk

Philadelphia, Feb. 11.—Dave Simon, program director of WTEN here, for several years, moves this week to WTAR, Norfolk, Virginia, an NBC outlet.

Simon becomes continuity chief of the Southern studio.

St. Paul, Feb. 11.—Twin Cities Broadcasting Assn., comprised of WCCO, WDGY, WTCN and KSTP, although formed two years ago, is now tackling its first real problem—that of eliminating chiseling in the agency field.

Group, headed by Stan Hubbard, Doc Young, Bill Johns and Earl Gammons, has 'definitely' taboed the 'I can't pay you till my client pays me' type of shoe-stringer. Association will deal only with agents who show financial responsibility. Member stations announces they'll send back any orders coming from agents other than those recognized as responsible.

By-law passed at meeting last week provided that no agency can step in and announce it is now handling a program landed by the station direct (and collect 15% to split with the account), as has been the much-abused practice in the past, but must wait until the expiration of the current contract. Should client try to back up a chiseler in demanding that station deal with a new agent during run of contract, station will cancel program and other member stations are bound by agreement not to accept the program till the contract time has expired.

Broadcasters have now invited Twin Cities newspapers to join their alliance, feeling that their problems are mutual in so far as fly-by-night agents are concerned.

## New WBAL Rates

Baltimore, Feb. 11.—WBAL has been given a new rate card by Hearst and one that, for this region 'teastwise', is of a different type than the usual ones encountered herabouts in that it abolishes the old method of different rating charges for national and local accounts. New card equalizes both.

Represents a rise of rate, too, since the new all-embracing card lifts the charge for one-hour evening time, for local accounts from the former \$240 to \$270, which was, and remains, the tap placed on national accounts.

Proportionate figures on halves and quarter hours evenings, afternoons and mornings. Same applies to spot announcements. Participating program charges, too.

## Linda Lou as A. M. Show For Yeast Firm on NBC

Chicago, Feb. 11.—Northwestern Yeast company preparing to double its shows on NBC. Scheduling a daytime show for the 'Linda Lou' program which has been local on WLS.

Yeast outfit has a regular weekly evening program with 'Jan Garber's Supper Club.'

## Geo. Bowling's New Job

Detroit, Feb. 11.—With Kirk Wilson going to New York to handle the eastern office of the Blair-Spight special rep outfit, the Detroit desk is being taken over by George Bowling. Bowling was formerly with WXII in Detroit as assistant commercial manager.

There is some possibility that the name of the special rep firm will be changed to simply John Blair & Co.

### Merle Jones to KMBC

Omaha, Feb. 11.—Merle Jones, past year in charge of commercial department at WAAW, took up a new position in sales department of KMBC, Kan.

It is an announcement of a successor to Jones at WAAW. In meantime duties fall to Station Manager Ernest Rader.

tions reputedly enjoy a 100 percent audience.

Included in the proposed chain are outlets in larger cities of the state, which will afford better quality programming to the system. Complete list: WDAS, Phila.; WWSW, Pittsburgh; WVEB, Altoona; WJAC, Johnstown; WKBO, Harrisburg; WKYC, Lancaster; WBEU, Reading; WGBI, Scranton; WBAX, Wilkes-Barre; WRAX, Williamsport. York, Allentown and Hazleton are expected as additions before operations commence.

It is understood that lines are being installed this week, with the net to begin early in March.

# ROMEIKE

## PRESS CLIPPINGS

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January 28th, 1935

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Gentlemen:-

Beg to advise that on our own initiative, and after a careful check up we find your Radio Department the most complete published in this country; we having in your issue of January 22nd derived 282 clippings of interest to our clients, which is far ahead of anything obtainable from any other magazine.

We are

Very truly yours,

HENRY ROMEIKE INC.

*D. J. Handl*

T. J. HANDL FR: 7M

DO NOT BE INFLUENCED BY RATE WHEN ORDERING PRESS CLIPPINGS  
IF YOU COMPARE QUALITY OF SERVICE, ROMEIKE'S CHARGES ARE THE LOWEST



# N. Y. CITY'S FOREIGN MARKET

## Free Space-Grabbing Possibilities Of Radio Shows Agitates Agencies

Cracking a network affiliated station with publicity and a show on another web has with minor exceptions, become a hopeless task, say advertising agency p.a.s. Many newspapers whose stations are allied with NBC have carried the line of demarcation still further. They exclude any chatter not pertaining to programs on the particular link with which they are connected. If the membership is with the red (WEAF) loop, stuff about programs on the blue (WJZ) is taboo, and vice versa.

Situation has become so acute that some of the agencies have undertaken to find out the relative publicity values of the various links. They are particularly interested in learning which link offers the largest newspaper circulation, so that if the client insists upon having newspaper publicity for his program the agency can readily tell him which hookup offers the largest number of newspaper owned outlets and the aggregate circulation of these outlets.

**Commentators Poison**  
Practically all newspapers now shut out chatter mention of news commentators, with the majority of them extending this ban to the program listings. Particularly affected by this policy are Boake Carter, Lowell Thomas, Edwin C. Hill and Floyd Gibbons. In some spots even Alexander Woolcott's name is taboo. Woolcott may be in his pitter on the Cream of Wheat stanza over CBS Sunday nights refer to everything, but news events, but the newspapers involved still consider him as being in the same category with the others. Among the Boston papers Woolcott rates rather chattering nor program listing attention.

## A. A. CORMIER MAY BE WIP SALES MANAGER

Fourparties were on last week between Albert A. Cormier and Benedict Gimbel for the former to take over the direction of the sales staff of WIP, Philadelphia.  
Cormier was formerly v.p. in charge of sales for the American Broadcasting System. Before that he was sales mgr. of WOR, New York.

## STORER RENTS SPACE AT 711 FIFTH AVE.

George B. Storer has rented space for the American Broadcasting Co. in 711 Fifth avenue, the building NBC occupied before it moved to Radio City.  
Lester that Storer has leased includes the large studio that NBC built on the 15th floor.

## Mutual's 12th Acct.

Signaturing of M. Hohner, Inc., last week gave the Mutual network its 12th account. Program with a harmonica band under Carl Freed's direction, starts Feb. 23. It will be a weekly 15-minute period and involve WOR, Newark; WLW, Cincinnati; WGN, Chicago, and WKYC, Detroit.

Atherton & Currier is the agency.

## Goodrich Starts Mar. 8

Goodrich Times unveils its 'Circus Night in Silvertown' on a blue (WJZ) link March 8. Eastern and Midwest areas will get the program from 10 to 11:45 p.m. EST Friday nights, with rebroadcast for the western regions starting at 11:30 EST.

Entertainment setup for the Goodrich show, as the program consists of Ted Lewis, Phil Dues, Ludie Manners, Doc Rockwell and a mixed crowd. Rutherford & Ryan is the agency.

## Gaggers Gagged

Hollywood, Feb. 11.  
Burns and Allen started something when they paid \$25 to a nine-year-old boy for a gag to be used on the air.  
Day after story hit the dailies, flock of juves waylaid the team with sheafs of nifties. No sale.

## CODE WARNING ON FREE TIME

Washington, Feb. 11.  
A warning to broadcasters against possible code violations was issued by Radio Code Authority today (11) citing several concerns seeking to obtain air time on basis contrary to code provisions. Notice listed Paramount and Columbia Pictures. Along with—Tramers—Council of America, Radio Stars Magazine, Velvetina company of Omaha, Food and Drugs Brands, Inc., Self-Kur Electric Hair Waver.  
Code Authority also released correspondence with Condon company of Los Angeles, which firm was formerly banned from placing its radio discs on an exchange basis. This ruling was later reversed.

## Haskell Avoids Jail

St. Paul, Feb. 11.  
Benny Haskell currently sponsoring 'Haskell's Punchbowl' stanzas over KSTP, paid a \$5,000 fine in Federal court here last week.  
Because of Benny's precarious health, Judge Mathew M. Joyce vacated the 15 months in Leavenworth stretch which had been previously imposed.  
Haskell pleaded guilty several weeks ago to evading \$2,300 in Federal income taxes.

## ALIEN TONGUES WELL SPONSORED

Six Stations in Greater  
Gotham Almost Wholly  
Devoted to Polyglot Population

## NO SAVEZ

Foreign language programs aimed point blank at New York's 4,000,000 Italians, Germans, Jews, Poles, Ukrainians, etc., is the sole support of six stations, to-wit: WFAB, WOY, WEVD, WIGM, WBSN, Bronx, and WBBC, Brooklyn.  
These stations exploit the fact that 50% of the metropolitan population of 7,000,000 is of foreign extraction. This takes in tastes which are complex and varied. A large number is removed from the English language only by one generation, which is sufficient enough to have acclimated them to American tastes. However, it must be admitted that even in such homes parents of these children prefer programs in their native jargons. Besides, there are still estimated to be around 3,000,000 foreign-speaking people in Greater New York.

WOV is primarily an Italian station, having a 60-40 ratio of foreign program listing. Most of the sustainers, however, are in English. There are 18 sponsored Italian hours on the air from three to seven times weekly. News events, comedy, drama, science, etc., are covered. Concert and grand opera are the desert. Some 10 other Italian accounts use spot announcements steadily. Three Italian announcers are maintained regularly, and five others come in as guest speakers. Only six major programs here are sponsored by English-speaking accounts.

## Mail-Pulling

An example of a foreign program's pulling power is the La Perle commercial. During December and January the company conducted a contest to pick a name for a new macaroni. Over 200,000 (Continued on page 51)

## Students Bring Own Cheer Leaders; Turn WCBM Sponsored Amateur Show Into Schoolboy Hazing Riot

## Urge Charlatan Curb

Albany, Feb. 11.  
State legislature has been asked to pass a law that would permit only a licensed physician or surgeon to broadcast medical advice.  
Aimed at certain peddlers of books and charts.

## WLW VERDICT BY COURT DUE FEB. 18

Washington, Feb. 11.  
Court of Appeals ruling on the request of WLW, Cincinnati, for a permanent order restraining the Federal Communications Commission from compelling the station to reduce its night time power from 500,000 to 50,000 watts will be handed down next Monday (18). District of Columbia higher tribunal has advised counsel for Fowl Croley, Jr., today (Monday) after they completed oral argument for the permanent injunction order.

Court at the same time ordered that the temporary stay obtained by Croley against the FCC meanwhile remains in effect. Communications commission acted against WLW following representations made by the Canadian Radio Commission that the Cincy transmitter interfered with the signal of outlets on the other side of the border.

Timothy S. Goodman, recently appointed manager of WKRC, Cincinnati, in New York this week for powwow at CBS headquarters.

Baltimore, Feb. 11.  
Last week's edition of the weekly amateur night sponsored on WCBM by a local clothier furnished the town with tattle for a while to come. Last week station moved affair from its own small studio to a ballroom on the floor above its quarters. About 500 head sat in on ducaes secured from the sponsor or from station on request.

A slew of prep school studies of both genders had cornered majority of the stubs and turned out en masse for the big do's. The studies brought along their cheer leaders, and as soon as the program got under way so did the fun. Cheer leaders cued the gathering when to applaud and when not to—but chiefly when to boo. The first row of entertainers went through their routines without a hitch, but when they concluded a deathly silence was all the reward they got; the cheer leaded, for absolute silence and their pals obeyed.

From then on nobody got a chance. As soon as a performer was introduced by the announcer a blast of boos and cat-calling made it impossible for him to go on. One young man, evidently before a gathering for the first time, broke down (Continued on page 57)

## RADIO SERVICE TO FARMS IS LOOKED INTO

Washington, Feb. 11.  
A probe of broadcasting service in the corn and wheat belt is on tap as part of the Federal Communication Commission campaign to jack up the U. S. radio industry. Farm and village residents getting a chance to tell what's wrong with the air entertainment in their localities.  
Postcards are being sent to 70,000 haywards and 34,000 fourth-class postmasters to find out just what the hicks like and don't want in the way of radio fare, the amount of time spent in listening, the manner in which programs come through, and any questions they may have for improving their service.

One part of the study will relate to coverage of thinly-populated areas by clear channel transmitters. Commish wants to know the identity of the farmers' favorite stations and the way in which distance transmitters come through.

Government also seeking lowdown on the point of replacement demand for receiving sets, asking each individual on the question list to report the make, model, size, and date of purchase of his set. Will give an index of the degree of obsolescence and enable manufacturers to drive for new biz.

Farm study is a sideline of highly technical investigation into the clear channel situation. Commish has located more than 50 field recorders throughout the nation to get reliable data on intensity of signals from high-power outlets to serve as basis for its forthcoming policy decision regarding continuance of clear-channel theory.

## Don Miller Goes Pub

'Don Miller, who was with ABS prior to the reorganization, has been named advertising manager of the magazine Today.

He replaces Leonard Dombrowski.

'Powel Croley, Jr., on brief holiday at his winter home in Sarasota, Fla.

## NEW RADICAL REVISION OF RADIO RULES MENTIONED AS HITTING AT BG BIZ

## Confirmation of FCC Commissioners Carries Washington Gossip of Stringent Guarantees Against Network Domination of Broadcasting in Future

Washington, Feb. 11.  
Threatened fight against eastern domination of Federal Communications Commission collapsed last week as the Senate gave consent to appointment of six unconfirmed Commish members and completed the panel of radio bosses.

Unexpectedly peaceful situation was brought about, according to Capitol Hill gossip, through a truce which will result in crimps being put in chain operations.

Scuffle over President Roosevelt's appointments had been threatened by a group of Western Senators, led by Chairman Wheeler of the Interstate Commerce Commission, who bitterly resented the fact that F. D. picked no spokesmen from the Middle or Far West to sit in on the Commish. Wheeler's acquiescence was cited as substantiation of reports that confirmation was made possible only after six job-holders agreed to change basic Commish policies.

This truce, say those in the know, will result within a few weeks in the issuance of stringent regulations governing networks. May go so far as to specify that no licensee will

be issued to individuals or corporations which do not actually operate the stations for which tickets are sought. Another possibility is a rule banning the ownership of more than one station by any individual or company.

Either of these moves would put the slug on NBC and also, although to a lesser extent, interfere with CBS. Numerous smaller corporations, such as Westinghouse, General Electric, Hearst and Gannett papers, Shepard, Don Lee, and others would be affected by the second proposition.

Other features of the trade by which confirmation was obtained are said to be a promise that a prominent official get out. Additional changes in subsidiary appointments also are rumored. Prospect of searching investigation of Commish activities by the Interstate Commerce Committee was suggested in Congressional circles coincident with reports that Catholic groups, topped by the Paulist Fathers are trying to mobilize support for another drive to change allocation principles. Last

year fight on statutory reservation of facilities for non-profit outfits likely to break again any time.

Missouri  
Committeemen are described as particularly critical of the Commish report on non-profit operations and feel that investigation last fall was only superficial. A new inquiry by the committee may be the outcome.

Study of financial arrangements and ownership of large broadcasting companies looms, as well as a look into charges that Commish has been too lenient in permitting transfers of licenses. Several committee members want to turn the spotlight on the chains and miscellaneous important figures in the industry and will fight for a special hearing on this phase of the business.

Personal feud between Senator Bilbo of Mississippi and Judge Eugene S. Sykes flared like a wet firecracker. When names were called up for a special hearing on this phase of the business, Bilbo contented himself with inserting in the Record a long letter sent to Chairman Wheeler containing allegations of unfairness and describing personal warfare. No record vote, though six Commish members given an official okay are, in addition to Sykes, had—H. Brown—of Ohio, former Radio Commissioner; Norman S. Case of Rhode Island; Paul A. Walker of Oklahoma; George H. Payne of New York, and Irvin Stewart of Texas.



# NBC REPORTED DODGING TOUGH ONES; CONTRACT ACCEPTANCE LONG PROCESS

NBC's station relations boys are still on the road. Latest reports indicate that a tactical switch in the original policy of sending the men to the least tough stations first. Most of the hot potatoes have not been touched to date, a check-up reveals.

Opposition to the new compensation contract is reported from Milwaukee, Nashville, Atlanta, San Antonio, Detroit, Cincinnati, Boston among others. Most of the pivotal broadcasters are adopting a passive attitude until they are formally notified of their terms. Meanwhile it is understood NBC is collecting autographs slowly. Even the stations from whom no particular opposition is anticipated want time to think it over.

One thing is clear. There will be a long period of negotiation and the longer the postponement the more 52-week contracts may be signed locally in the interim. This directly affects NBC's clearance guarantee to advertisers, which is a main objective of the network through the new set-up.

**Okay With Pubs?**  
It is stated that newspaper-owned stations accept the NBC contract more readily than the independent. Secrecy and reticence on both sides make it difficult to clearly chart the course of station relations at this time. Stations with their own production facilities continue to chafe that the network is neglecting local showmanship in the face of a trend in spot broadcasting toward locally produced shows with regional talent.

NBC surprised its affiliates by not asking representation on spot sales and by making no allusion to station-break announcements. Both were expected.

Advertisers in general have reacted favorably to the new NBC arrangement with its promise of stability and traffic protection.

In San Antonio, Feb. 11, WAOA, town's 500-watt NBC affiliate, is expected to get together with the network on the proposed new contract shortly, although a visit of G. E. Zimmerman, NBC station relation man from Chi., was a stalemate. Further confab. expected to result in signing as station opinion is new contract is not without its good points.

Local visit by Zimmerman's first stop in contacting affiliates in the southwest area.

## Radio Code Authority

### To Be Split Into Local Zones for Facility

Washington, Feb. 11. Radio codists today (Monday) authorized the preparation of a plan for local self government through the broadcasting industry. Move reverses stand on proposition which Ed Knoekles, labor's rep on the code authority, had advanced at the codists' meetings at Cincinnati last September.

James M. Baldwin, executive officer, was directed by the authority today to prepare plans for the creation of regional code supervisors. With all details left to Baldwin, the codists are taking no action concerning the number or location of the subsidiary bodies.

Contemplated subagencies will have all the power now possessed by the national code authority, but all the former's action will be subject to review by the central board and then by the government.

## WIP's Young Blood

Philadelphia, Feb. 11. All of WIP's minor execs jobs are being filled currently by former announcers of last season, with the move of Jimmy Allen to publicity head.

Allen replaces Murray Arnold, who was upped to head the production sector. With the move to the job is John Hayes, ex-law student-applier, as program chief. Staff rearrangements precede opening of new studios March 1. Only other execs are Ben Brown, as vice-pres. and Frank Lamb as vice-pres. Even latter does some spicing on one or two pet shows.

## RUGBY ANGELOD

Hollywood Station First to Land Commercial for English Game

Hollywood, Feb. 11. Associated Oil, which spends around \$250,000 a year on radio commercializing Coast college football and basket ball games, is now spending coin on broadcasts of rugby. It's the first airing of this English sport on the Coast.

Rugby games will be broadcast over KMTB, with Frank Bull, former player, at the mike.

## CBS Seeks 3rd Theatre

In its quest for studio space to take care of some of the web's daytime sustaining programs Columbia last week approached the World Broadcasting System, Inc. Another WGAR's that CBS and motion picture consideration in the matter of outside studio facilities is the Little Theatre, 44th street lighter. Rather than tie itself with expensive space in its Madison avenue quarters, Columbia has pursued a policy of leasing deals on the outside.

To help the moving men get the various departments established in the new quarters, CBS has assigned to the Madison avenue building the network made it a two-day vacation, starting yesterday (Monday), for the personnel of some of these departments. Among the vacationists is the sales staff.

## WGAR Rents Theatre

Cleveland, Feb. 11. First local case of a radio station taking over a little theater is WGAR's that CBS and motion picture consideration in the matter of outside studio facilities is the Little Theatre, 44th street lighter. Rather than tie itself with expensive space in its Madison avenue quarters, Columbia has pursued a policy of leasing deals on the outside.

Auditorium, with 350 capacity and remote control, has had to turn down a way around Al and Pete staged Marshall drug show there. Admission free, although studio engaged troupe of Billy Tilton's dancers for show. Affair incited legions to old squawk about unfair competition.

Result of publicity was that team has been signed by May Co. department store, for three 15-minute programs per week, at 1:30 p.m., billed as May Company Play-Walkers.

## Lawyers Buy WTBO

Baltimore, Feb. 11. WTBO, Cumberland, Maryland, has been sold by its former owner, Herbert Lee Elye, to Frank V. Becker and Roger W. Clipp. New owners are a firm of barristers in Cumberland.

# Mutual Cold Shoulders NBC as Sales Rep; Name Innis MBS Builder-Upper

Chicago, Feb. 11. Mutual web chieftains decided a couple of items in a meeting here last week with about the chief vote being the complete cold shoulder for the offer by NBC to represent MBS. Mutual heads couldn't see any advantage in having the National Broadcasting Company representing a rival network.

Instead Mutual has decided to begin an active campaign of exploitation and sales promotion on its own. Has picked R. D. 'Doc' Innis, who has been in charge of business survey for the Chicago Tribune, as manager of sales promotion for MBS. Innis will headquarter in Chicago but will make regular trips to the web territory. No action was taken by the meeting on the question of additional stations and for the time being the MBS setup will retain its quartet of outlets, with sponsors allowed to choose additional stations as supplementaries if available.

Appointment of Fred Weber as station relations head was made concrete by the vote at the meeting. Weber will be in charge, as traffic manager for the group.

**Easy Arithmetic**  
Meeting also settled upon a stand-

## Wax Works

Colerhine company placing a series of 28 five minute programs over 30 stations placed through Van Sant, Dugdale agency. World Broadcasting System.

Garfield-Williams using a series of 28 five minute program service disks for WOR, to be used twice weekly. Placed through Metropolitan Advertising company. World Broadcasting System.

C. O. Langlois, formerly associated with Raymond Soat, is now out on his own, recording the Cosmopolitan mag-account at Decca.

Musbeck Shoe Co. has recorded 10 musical programs through Columbia. Sehl Advertising Agency has the account.

Becker Roofing Co. has had quarter hour musicals turned out by RCA Victor, Chicago.

Omega Flour Co., Charles, Ill., is starting to blanket the midwest territory with individual station announcements, staggered through the day, in an effort to reach a primary audience that exists in local WKBB goes on a platter diet. Feb. 5, two a week, for fifteen minutes at a time, the time indef. Other stations in on the list include, WQCR, WIO, WJW and other Iowa spots having a strong local following.

Ward Bread is appealing to the Polish element in Chicago and environs with a series of 15 minute recorded musicals on WJJD. The local manager picked the show and Fletcher & Ellis is preparing the copy.

Conti, spot announcements five times weekly for period of 12 weeks. World Broadcasting Company.

Lever Bros. (Lifebuoy Soap and Flaming Cream) is placing Flap and Pat transactions for three months with KGBM, Honolulu. Placed by the National Export Advertising Service through Conquest Alliance Co.

Zonite Products Corp. (Zonite Anesthetic) has placed a six months' contract, 'Venusula' through Gotham agency and Conquest Alliance. Deal is for broadcasting over both long and short wave, YVIRC and YVIRC.

Crosley's artists' bureau has rented Taff Auditorium in Cincinnati for WLW and WSAI Old Time Fiddlers and Barn Dance Review, Feb. 17. There's to be four shows. Admish 40c and 15c for juves.

Meeting voted to begin a strong sustaining series immediately, picking up the top shows from each of the four stations. 'Crosley Follies' will start immediately from WLW; the WGN offer having the strong layout of evening dance programs of Wayne King, Jan Garber, Ted Weems and Kay Kyser; WXYZ will deliver a flock of afternoon dramatic shows at its contribution while WOR is figured on for its Joseph Pasternack musical program among others.

Chieftains also decided that they should get together regularly and it's likely offering having the WOR in at least for the MBS heads. No central sales office will yet be established for MBS, the meeting having voted to continue the present sales setup of having the salesmen and the station representatives of the individual outlets handle negotiations for the MBS time.

# Improbable Broadcasts

## No. 7—Lady Chester's Wrinkle-Remover and Kid Glove Cleaner

By BOB LANDRY

Theme song—"Your Face Is Just a Memory."

**Oxford Graduate**—This is Lady Chester's butler, Hives. Every Saturday we bring you to the English manner of Lady Chester, that celebrated authority on beauty, where you will meet and mingle with the bon ton, the haute monde and the cream de la creme. It is, if it may be permitted to say so—and the script does permit me—a frightfully fashionable and screamingly smart gathering that comes together every week-end at Lady Chester's place, which, as you know, is located at Scrivins on the Scruff, Odds-Bodkins, West Riding, England.

**Lady Chester**—That will be all, Hives. I'll take over the microphone.

**Hives**—Yes, milady. How many will there be for dinner, milady?

**Lady Chester**—Possibly 45, Hives—seven of them registered thoroughbreds.

**Hives**—Begging your pardon, milady, but shall I use the regular cream or the top of the milk?

**Lady Chester**—I'll need the cream for a batch of pore tightener number one I promised to whip up for the Duchess of Argyll.

**Lady Chester**—And Hives—

**Hives**—Yes, milady.

**Lady Chester**—If the queen should pop in on us you'll have to Feb. the top line.

**Hives**—I understand quite, milady.

**Lady Chester**—Hives is a perfectly priceless beast. Really, I should be quite exhausted without him. He keeps track of my servants. I have just 103, you know. Every one of them pedigreed on both sides and vaccinated.

**Sound Effect**—Horse-drawn carriage.

**Lady Chester**—Ah! There goes poor Mrs. Timmons. An estimable person she was. They're just taking her to the cemetery. It's a pity.

**Hives**—But, milady, you know how it is with the lower classes. They take such risks. Mrs. Timmons was warned repeatedly.

## GREIG JOINS SOUTHWEST

Becomes Commercial Mgr. of Regional Web

Dallas, Feb. 11. H. J. Greig, recently resigned from Greig, Blair & Spight, Inc. station representatives, has joined Southwest Broadcasting company as commercial manager. His office will be in Fort Worth at KTTAT, key station of the thirteen-unit network which operates over Texas, Louisiana, Oklahoma and Arkansas. Greig is 32, and has had considerable experience in the commercial end-in-the West and South and, more recently, the Southwest. He was at one time Pacific coast manager for Scott Lowe-Bowen and later placed 'Skippy' and 'Chandu' on Southern stations.

Greig, Blair & Spight will continue as representatives for the SBS net.

Appointment of a new program director for SBS was made concurrently with the Greig placement. Lewis Lacey, also from the West Coast with NBC, and recently with KPRC, Houston, and KTSB, San Antonio, will succeed Franklin Ferguson, who goes to WOOD, Grand Rapids, Mich. Lacey will continue handling the nightly SBS net feature, 'Anything Can Happen' originating in KTTAT.

L. L. 'Jake' Jaquier, commercial manager of WKBF, Indianapolis, is replacing Lacey as manager of KTSB.

## Please Move—Need Space For Bar, Hotel Tells KFAB

Lincoln, Feb. 11. Making way for a cocktail bar and attending gadgets, KFAB here is being asked to find a new spot for its offices and leave the present Cornhusker hotel studios which it has had for the past five years.

Dee Dirks, KFAB's general manager, will pick a new site for studios. KFAB has been cramped for space for some time.

yet she continued to wash her face with soap and water—and now they're buying her. It would have been so easy to have avoided that, if she had only been able to afford the Lady Chester's preparations. My strawberry whip cleansing cream would have done wonders for her and my lemon sillas and abrasive for a thorough skin shellacking not often than once a week would have removed her face troubles.

**Sound Effect**—Door closing.  
**Lady Chester**—Your Majesty! A Voice—There, there, my dear Lady Chester, just call me Mary.

**Sound Effect**—Door closing.  
**Lady Chester**—I guess you know who that was. Well, as I was saying, poor Mrs. Timmons—it need never have happened. One of my newer products, I am happy to say, is having quite a boom—I should say it would sell enough for a very nice small yacht. I refer to Alcolyte. This is the pick that gives you that tingling feeling—the tingling blisters your face it's not being applied correctly.

**Orchestra**—British Anthem.

**Lady Chester**—Is served.

**Sound Effect**—Bells of Registered Thoroughbreds at Table Served by Pedigreed Flunkies.  
**Hives**—What a brilliant throng. What repartee, unfortunately none of the repartee is included in the script—but this is what, if it may be permitted a whimsical observation, I should call a royal occasion. And now dinner is over. Lady Chester is leaving the peerage to her laboratory. She is making a sensational announcement of her new discovery.

**Lady Chester**—My lords and ladies, she has won the prize. My hand contains small oil. I have made an astonishing discovery. Small oil will remove wrinkles. But that is not all. It will also clean spots from kid gloves. I consider this the crowning achievement of my career as a chemist and beauty factor.

**Sound Effect**—Applause.  
**Lady Chester**—Well, you gentlemen of the large-sized. Jars to Buckingham Palace, C.O.D., please?

**Hives**—That calls for a waltz.

# MUCH ADO IN PARIS OVER V. HUGO B'CAST

Paris, Feb. 11.

Victor Hugo, his heirs and Radio Paris are all tangled up in one of those marathon French lawsuits.

Several years ago heirs of Hugo sued the outlet, for broadcasting sections of 'Misérables' and 'Quatre-vingt-treize,' without asking for permission. Court sentenced station to \$1 fine and confiscation of the gross. Didn't specify what the gross might be, in the case of a radio station. It was just applying an old law made for theatres, where confiscation of the gross means something.

Station appealed. While waiting for a decision first lawyer died and two others who took his place became cabinet ministers, so the case had to be put off and off. Finally the Court of Appeals reversed the court decision and acquitted the outlet.

Then the Hugos took it to the Supreme Court, which now has reversed the Court of Appeals and ordered a new trial before another chamber.

So maybe France will eventually collect its \$1 fine—now grown, through exchange fluctuations, to \$155—and also confiscate that gross, if it can find it.

## Chase & Sanborn Okays Opera for 13-More Weeks

Chase and Sanborn coffee will continue to present operas in its Sunday night spot on NBC for another 13 weeks. Second 12-week lap becomes effective last Sunday of the current month.

Though the program's rating on the Crosby Reports has been sliding, the java packer figures it is doing effective missionary work among a consumer class to which Chase's program is a variety type of entertainment.

# GERMANY'S AIR SITUATION

## FCC's Washington Hearings

Washington, Feb. 11. Two power increases were granted by Federal Communications Commission last week as docket was swelled by more pleas for new stations and higher operating power. Several applications granted for hearing. Increase of day power from 250 to 500 watts warranted WHIS, Bluefield, W. Va., while WNNB, Memphis, Tenn., received right to jump days from 600 to 1 kw. Commission reconsidered prior refusal and granted permission to the Mississippi Broadcasting Co., East St. Louis, Ill., to erect a new transmitter operating on 1500 kc. with 100.

Applications sketched for hearing include: WSAF, Fall River, Mass., boost from 250 to 1 kw.; WSIX, Springfield, Tenn., change frequency from 1210 to 1370 kc.; and Brownsville Broadcasting Co., Brownsville, Tex., new station on 1870 with 100 watts.

### New Requests

Week's list of new requests included Hartford Times, Hartford, Conn., new station, 1200 kc., 100 night and 250 day; WOCL, Rochester, N. Y., boost from 50 to 100 night and 250 day; KGRS, Amarillo, Tex., boost days from 2 1/2 to 5 kw.; WGNV, Chester, N. Y., boost from 100 to 500; WMBF, New Haven, Conn., shift frequency from 900 to 1200 and change power from 500 to 100 night, 250 day; WSAW, Allentown, Penn., boost from 250 to 500; WCCA, Allentown, Penn., boost from 250 to 500; Oklahoma Press Publishing Co., Muskogee, Okla., new station on 1500 with 100; KFEQ, St. Joseph, Mo., boost days from 2 1/2 to 5 kw.; Oscar C. Kirsch, Cape Girardeau, Mo., new station on 930 with 1 kw. days; Radio Chapel of the Air, Minneapolis, new station on 1370 with 100; KLAS, Oakland, Calif., shift frequency from 1440 to 1280 and operate unlimited time with 250 night; Samuel N. Morris, Stamford, Tex., new station on 1420 with 100.

## SPENCE OF WPG IN WBAL MANAGERSHIP

Baltimore, Feb. 11.

Edwin M. Spence has been appointed general manager of WBAL, president of the municipally-owned WPG, with which broadcaster has served since 1923. He was also chairman of the convention committee in C. C. Spence is a director on board of the National Association of Broadcasters. It is likely that WBAL, under Hearst, will reestablish that organization. Under the old ownership, local light and power company, station withdrew from membership in NAB several years back.

Atlantic City, Feb. 11.

When Ed Spence leaves WPG at the end of the current week to take over the management of WBAL, Baltimore, the vacancy in the local CBS outlet will be temporarily filled by Norman Reed.

Reed will double from his regular assignment of program manager while the Columbia home office decides on a permanent head for WPG.

## 3 BKLYN STATIONS NO LONGER UNDER 1 ROOF

Brooklyn trio of stations, including WARD, WLTH and WVEF, is no more, having split up and going their separate ways. The trio remains in the old location at 427 Fulton street, with WLTH moving to 160 Second avenue in New York and the last one changing over to Court Square, in the borough.

Threemans had been under one roof for several months, under a temporary agreement. Situation was none too happy, and the general conflict in programs and management hastened the break up. Personnel still the same at each place though.

## WPRO Staff Expands

Providence, Feb. 11.

Several additions to the WPRO staff here have been made by Paul Oury, station director.

Levi Robinson, recently with WOKO, Albany, as commercial manager, has been appointed commercial manager. Paul Belaire and George E. Keene added to the commercial department.

Frederic W. Ayer of Boston, Mass., formerly publisher of The Town Crier, Newton Center, Mass., has been appointed publicity director.

## Foreign Market

(Continued from page 49)

pleas came in, all containing the required La Pearl label. WBYD carries Jewish, Italian, Polish and a few English programs. Mornings and afternoons are strictly foreign listening hours, with the evening devoted to English palaver. Station prides itself on its discussion hours.

WFAE's time is 30% confined to foreign programs. Remaining 70% is in English, but then only between 11 and 12 at night. Empire Gold found this outlet particularly lively in getting direct responses on a recent stunt. WBNZ's outlay of foreign tongues covers the Bronx district. It maintains a program roll of three English programs to one foreign language hour. Only five of its 60 foreign programs are sustaining. It has found foreign language newspapers cordial when it comes to tie-ups.

WBOC, Brooklyn station, is also heavy on foreign patronage. In addition to the more fluent foreign tongues, this borough station also has Scandinavian and Assyrian broadcasts on WARD, WLTH and WVEF used for a certain way when combined, but have now split up. All over in Brooklyn, too, with the Brooklyn Eagle squawking because of the flood of foreign program service. WHOM takes practically nothing but foreign language program for this vast audience.

Leading foreign agencies include:

- B. Filippone Company.
- Sachs Quality Furniture, Inc.
- P. Pastore Company.
- Mattia Locatelli.
- Antonio Corneo.
- J. Rabinovich, Inc.
- W. La Rosa, Inc.
- S. A. Soborun, Inc.
- Ronzoni Macaroni Company.
- Italyans, Inc.
- Montgomery's.
- Flaniers Edipie Oil.
- W. C. Carlini.
- Italian House Coffee.
- De Maria Macaroni.
- Brooklyn Macaroni Company.
- Free Mark Shoes.
- Brooklyn Shoe Stratum.
- Eastern Life Insurance Company.
- European Photo Company.
- Rosch Radio.
- Modern Machine Company.
- World Clothing Exchange.
- Flister Brothers.
- London Woolens.
- Moskowitz Matzels.
- Madame Matzels.
- Perfume Company.
- Grater New York Seltzer Trades.
- Coward Shoes.
- Second Avenue Baths.
- Three B Clothing Company.
- Polish National Alliance.
- Diello Castrol Company.
- American Gold Company.
- W. R. Miller Company.
- Katrol Laboratories.
- W. R. Miller Company.
- Empire Gold.
- Schulch Clothing.
- W. R. Miller Company.
- Hamburg-American Lines.
- Dr. I. P. Hinkle.
- despatch from Washington by Curt Sell on "What They Are Talking About in America."
- German radio manufacturers have never gone in for twelve and sixteen-cylinder jobs, preferring the four or six-bulb setups. Consequently only a few German sets,

## PROPAGANDA NOW IS TONED DOWN

Nazis Sugar-Coating or Eliminating Constant Diet of Speeches - Various Non-Political Personalities Have Biggest Radio Following

### BOREDOM ANGLE

Berlin, Feb. 2.

Entertainment as distinct from propaganda is gradually elbowing the more zealous Nazi elements off the air. Six months ago at the height of the Nazi evangelical wave the German radio was almost exclusively given over to propaganda. If there was no speech-making on the air, even the most popular speaker had been made into a disc was dusted off and broadcast. There are 6,000,000 set owners in the Reich.

As an opening wedge, propaganda was sugar-coated. It wasn't the blatant hell-hell propaganda any more. Playlets were written in which the Nazi ideals were upheld, glorified and opposition reactionaries verbally crucified.

Twelve large stations, led by the Deutschland Sender at Koenigs Wusterhausen (1570.7 m.) and the Berlin Sender at Tegel (3847 m.) now give a fairly varied program to German listeners. In addition to this battery of long wave stations, Germany has six short wave senders and two operating on beams for the Far East and for South America. Directly under Herr Hamedowsky, who is responsible to Goebbels, the German system seldom goes in for nation-wide hookups unless it is a speech by some important personage.

Even the station signatures have been toned down and one no longer hears "People to Arms!" Its place has been taken by a few bars of some German opera or folk-song.

On the long wave side, the hookups, despite attempts to jettison him, is Ludwig Manfred Lommel, probably Germany's most beloved star. Lommel, unknown before the advent of radio, writes his own sketches and reads them. He is heard to take seven parts in the same sketch.

Heinrich Plaut has a large following, mostly because of his ability to imitate the various dialects of the German districts. Maria Noy, popular orchestra leader, gets over with a large assortment of ribald sailor catches coupled with a rapid-fire chatter in Berlinish, the dialect of the capital.

Edith Lorand, Jewish orchestra leader, while getting no air engagements, gets plenty of work outside, mostly in vaudeville. Foreign dance bands are few and of here now, radio otherwise, except on platters. Formerly Spanish bands were the rage, with Juan Lloassa holding forth as the now-defunct Femina, whence his band was sent to the night club.

Oscar Joost and Ernst Hoffmann have the most popular dance bands on the air here at present.

Contrary to the practices of the late President Paul von Hindenburg, Hitler talks directly into the mike. During the later years of Hindenburg's life, discs of his speeches were first cut to be sure the wavering voice of the old man wouldn't go too noticeable and reveal his weakening condition to the nation.

### American Program

German radio has one fixed from America. It is the weekly address from Washington by Curt Sell on "What They Are Talking About in America."

German radio manufacturers have never gone in for twelve and sixteen-cylinder jobs, preferring the four or six-bulb setups. Consequently only a few German sets,

## Luxembourg Station's Paris Studio Seeks Type of Talent England Likes

### Yankee Network Selling Itself to British Biz

Yankee Network is plugging its facilities to British manufacturers through Radio Normandy, French outlet. Programs consist of 15 minutes of transcribed dance music. International Broadcasting Co., London station reps, is handling the business.

## RAY PAIGE HAS TIED FIO RITO'S AIR SPOT

Hollywood, Feb. 11.

Ted Flo Rito, who finishes Wednesday (13) at the Hotel Ambassador, with Guy Lombardo replacing (14), is heading east for a week's rest. His departure has Raymond Paige, substituting on the "Hollywood Hotel" radio program Friday (15) and playing "Folies Bergere" music. Maurice Chevalier, star of the picture, is being added to Louella Parsons' setup that night.

Flo Rito is believed to be bowing out permanently, and Paige stepping in with a 30-piece band. Flo Rito's contract, up April 1, may be settled this week.

### Sell Caviar Over Air

White Plains, Feb. 11.

Romanoff Caviar is plugging over WFAE. Foreign account thinks that Westchester County, Ritz N. Y. suburb abounds in gourmets with a hankering for the delicacy. First reported instance of selling caviar over air.

and they are expensive, get many foreign stations and few short wave broadcasts.

Most of the American correspondents here have sent home for RCA's 141E, while the businessmen here purchased the Scott job. Most popular German set is the "VE 301," which is said to mean "Volks Empfänger 301" (People's Receiver January 30), the date Hitler took over two years ago. This small set selling for 76 marks, payable with the light bill over 18 months, has gone over the three-quarters of a million sales.

But the giggle. German technicians had made it a little too good and under favorable conditions communistic propaganda could be heard from Moscow.

### In German!

German listeners pay 80 cents a month to the mailman for their hearer's license, with which the entertainment is purchased and general costs paid. Unemployed pay no radio tax.

Several magazines here print the programs of all German and a select list of foreign senders... excluding Moscow.

The programs begin at 6:15 a.m. and continue until midnight, one o'clock or in the case of Stuttgart until 2 a.m.

Gymnastics open, followed by the weather reports, and then an hour and one-half brass band concert, generally played by one of the SA Standarten bands. At 8 o'clock is more setting up, then a period of platters and advertising announcements, the only ones made over the German stations. Switched in between announcements are jokes designed, said Bro. Goebbels, to send the worker to his task in happy spirits. Programs for the women and children follow until 10 o'clock, when the first news reports are read. Then follows a two-hour shutdown until noon, except for a short market report.

From noon until 6 o'clock music is on the menu, then two hours of lectures, instructions to youth and sports news in season.

Early evening programs are devoted to memorializing some Nazi hero or German savant and his work. After which dance bands

Commercial broadcasting on the western end of the European continent is noticeably on the upbeat, with the competition for the British listening element resulting in a decisive change in showmanship for at least one of the superwriters involved, Radio Luxembourg. Later station, reported Dr. W. H. Voeller, v.p. of the Conquest Alliance Co., on his return last week from a six-week tour in Europe, was arranging to have its programs built in Paris as piped to its transmitter in the Duchy of Luxembourg.

Radio Luxembourg's resort to Paris as the source of its program is due to the fact that it hasn't available in the home grounds the sort of talent that appeals to British listeners. The set owner in England has become choosy about the entertainment he tunes in from station outside the Empire. Broadcasting Co.'s network, and to keep him interested in the airings of continental stations it now takes more than just phonograph records. The French government has insisted that Radio Luxembourg has done in the past has been limited to that inscribed on transcriptions. These stencils have been of the 78 revolution type, with the French pressions made not on wax, but on lacquered aluminum.

Voeller says that he found that the restrictions placed by the French government on the country's privately owned stations gave Radio Luxembourg an edge when it came to appealing to British listeners with dramatic or comedy programs. French government also requires that anything spoken in a foreign language be followed by a French translation. Luxembourg offers no such restrictions.

### Other Countries

Italy, avers Voeller, revealed very little development in commercial broadcasting. In Germany he found that home sets had increased by 33% the past three years and that the Hitler regime was considering making government-controlled stations available to German advertisers in order to obtain more revenue to spend on live entertainment. With over 750,000 owners exempt from paying a license fee on their sets because of unemployment and other reasons, the German government's intake on broadcasting has fallen to the point where it can't afford to give the listeners much else but phonograph records and political speeches.

## WISN, ON OWN, HIRES NEW PRODUCTION MEN

Milwaukee, Feb. 11.

Going on its own next Friday, after cutting loose from CBS affiliations, WISN (Hearst-Station) is bolstering its forces for all local programs.

Russell Leddy, former theatre manager and ex-actor, has been named production manager for the new WISN. Leddy, who has been in charge of the station's production since the takeover, is to be in charge of dramatics, a post open for several weeks since Ed J. Harvey left.

Alex. Sherwood, formerly of KDKA and KLU in Pittsburgh, has taken over the advertising and promotion work, which Thomson Bartlett has been handling in addition to his regular announcing.

Dorothy Sutherland at CBS

Dorothy Sutherland is slated to take Mary McDermott's place in the sales promotion department at CBS when the latter leaves to get married. Will handle trade paper publicity contacts.

Miss Sutherland, who was formerly with Advertising & Selling magazine, moves in next week.





# New York Radio Parade

By Nellie Revell

Harlem Amateur Hour, which aired on Wednesday even from the 125th Street Apollo theatre, over WMCA and the ABC costs the theatre a penny. The talent auditions after the regular performance on Monday even, with \$25 in cash prizes. Those okayed are given the use of the theatre's rehearsal hall and pianist for practice. And the simon-pure are always bracing the manager for a touch. Last week one of the lads was to do a tap dance, but his tape was worn, so the manager got the price of a new set of taps applied but are seen home, since audience reaction would favor these performers and not be good. About 25 amateurs take the air each Wednesday eve and another 25 will be waiting to go on. Each of these folks take a buck in cash from the management in gratitude for their waiting around to go on. Audience shows up with all sorts of noisemakers. One night counted a saxophone, clarinet, trumpet, street, auto horn, cornbells galore, and razors ditty. Last Wednesday eve, two lads toting a small portable piano tried to buy tickets. Theatre figures expense is worth the publicity it brings and biz has been good.

## Dizzy Hard to Find

J. Walter Thompson Agency wanted Dizzy Dean to air on the last Vallee program. Agency traced him to Philly and sent emissaries to get him. They could not find him. Even the local NBC couldn't make the contact. Then the agency tried to reach him at the Baseball Scribes Dinner. Still no dice. Agency execs finally found him in NBC on Wednesday when Vallee's program was on. Dizzy got word in Philly that a radio station wanted him to go on air and giggling 'twas a small local outlet the Dizz took a runout powder. In any event the agency caught him too late for the last show and since Dean has left for the hinterlands he'll not do any Vallee stint till late in season.

## Thieves Steal Fan Mail

The Gump's sponsors, Corn Products Refining Co., offered a giveaway at a bottle of perfume for a 10c piece. Listeners were asked to write direct to performer. Late one afternoon a mail sack with 5,800 letters came in too late to be handled by the hard worked staff. The letters and dimes were put into the safe. That night thieves made a clean sweep. Sponsor made announcement explaining what had happened and advised those who had sent letters to write in and get free samples. Furthermore, the announcement stated the sponsor had no fear of the American public taking advantage of the situation.

## Page Boy Makes Good

Ray Diaz has been appointed Night Supervisor of Announcers at NBC. Ray rose from the page ranks. He has been attached to the announcing staff since he joined the company in April, 1929, and for several years as assistant to the Night Program Manager.

## Learning About Show Biz

Two Sundays back at 10.40 in the morning Tony Stanford, director of the Lux shows, received phone message that Margaret Sullivan was ill and unable to play 'Peg o' My Heart' due to air that afternoon at 2.30. Tony foned Helen Hayes at her home in Nyack. Miss Hayes busy getting ready to open Monday's Philadelphia in road tour of Mary Queen of Scots' dashed to studios. She arrived in time to take fast look through script and went on air. To add to handicaps, Helen had never played this show and in mad rush from Nyack had forgotten her eyeglasses at home. However, she did a swell job, and at once hopped a train for Phila. Helen Chandler also was called in the emergency, but Miss Hayes did job since her name has more weight.

## Scrambled Notes

Bill Backer left the hospital Sunday after being confined for two weeks while having his Showboat and Benton & Bowles removed. CBS visitors in NYC: Earl Glade, manager of KSL in Salt Lake City; Spencer Whedon, commercial manager of WSMK in Dayton, O.; Franklin Dooher, chief manager of WDRC in Hartford, Conn.; and Bill Schuch, of WBE in Charlotte. Del Sharkey, announcer, Bart Wonders, artist bureau head; Helen Fox, hostess, and Bill Perry, singer, all of CBS, live in the same house on 52d street. Ray Noble hired two of Joe Haynes' sax players for his new aggregation. Cities Service show on NBC last Friday was cut from hour to 45 minutes by President's Boy Scout talk. Speech was played into studio which had been watching the Cities Service show. Rex Weber angling for contract at WOR. NBC guides hold 13 miles daily during guide tours. One of the lads clocked himself. Bob Rainey, 'Big Ray of Songline' at WOR, switches to WMCA. NBC is cutting down its 18 plane teams to about 6. Charles F. Gannon, radio emir of Erwin Wasey Agency, back from three-week tour of West Indies. Julian Mason, former manager, editor of N. Y. Post, auditioned at NBC a script titled 'Boiling N. Y. Down.'

## Short Shots

Walter Koons leaves as musical supervisor at NBC and will be attached to press department. No replacement set as yet since the dept. may be consolidated with either production or music library units. Larry Taylor, Nat Brunsell, Sid Gary of WOR are working playing on S. S. George cruise to Bermuda. Joe Campbell was Dean of Music at Friends University in Wichita, Kansas, a Quaker school, before coming to radio. There he formed his Swane-Singers and toted them East. Cleo Mayfield and Cecil Lean auditioned again at NBC. Charles Webster, a Britisher, will do Lincoln on special program tomorrow. Nothing for Webster to play Angelo on Wednesday. The chirping canaries have returned to the second floor at NBC. Sam Kaufman to Phila. and Atlantic City last week. Biz and pleasure. Condolences to Nat Wolff, of Ben Rocks office, on loss of mother last week. Joe Hall, pianist for Casa Loma, on loss of baby. Speedy recovery to Mrs. James Wallington in hospital. Arthur LaTour, superior of the 5th St. playhouse, has been with grips. Don operating at Morley's beat of his own oir is postponed till Feb. 24th. Six stations added to the 14 already in use for Reggie Child's Tastyest event on NBC Sundays. Meyer Davis takes personal charge of baton at Everglades Club in Miami tonight. 'Fort Tonies' bought Geo. Frame Brown's 'Tom and Gus' Airs over NBC in April.

## Stand By

New show for Half & Half Tobacco which aired at NBC for first time on Thursday called for Indian War Dance. Sound effects couldn't fake the one. So at premiere the entire cast solemnly did a war dance around the mikes to the tom-tomming of a kettle drum. The chirping canaries have returned to the second floor at NBC. Sam Kaufman to Phila. and Atlantic City last week. Biz and pleasure. Condolences to Nat Wolff, of Ben Rocks office, on loss of mother last week. Joe Hall, pianist for Casa Loma, on loss of baby. Speedy recovery to Mrs. James Wallington in hospital. Arthur LaTour, superior of the 5th St. playhouse, has been with grips. Don operating at Morley's beat of his own oir is postponed till Feb. 24th. Six stations added to the 14 already in use for Reggie Child's Tastyest event on NBC Sundays. Meyer Davis takes personal charge of baton at Everglades Club in Miami tonight. 'Fort Tonies' bought Geo. Frame Brown's 'Tom and Gus' Airs over NBC in April.

## One for Jessel

St. Paul, Feb. 11. Mrs. Joe Trapp, mother of one of WDGY's 'Two Ernies' was sitting in the studio waiting room the other night waiting for her boy to wind up his act.

Seated in the same room were scores of amateur-night hopefuls. Each was approached and asked pertinent questions. Not wise to the amateur slant, Mrs. Trapp gave her occupation as farming—but Ernle came out and rescued his mom just before she was to be led away to the miks.

## VINCE AND SLOAN'S TO SHARE 45 MINS.

Charles R. Warner Co. will, after April 17, eliminate 15 minutes from its hour stretch on the NBC blue WEEI (WEEZ) and use the remaining 45 minutes for a single program, plugging Vince Wombush, Aberdeen and Sloan's Inimit. Talent for the new time setup has not been picked.

Under the present arrangement the first half hour is being assigned to Vince, with John Charles Thomas as the attraction, while the succeeding 15 minutes will be given to Lewis E. Lawrie in behalf of Sloan's Inimit. Cecil Warwick & Cecil is the agency.

## WMCA Personnel Shifts

Bettie Glenn is now handling WMCA publicity by herself. Robert Sullivan, formerly in this department at p.a., is returning to newspaper work. Miss Glenn used to be secretary to Fred Coll when ABS was here.

Loretta Hopton is a new steno in this department. Bob Haring, former WMCA musical director, is leaving for the west shortly to work on filmicals.

Don Clarke continually chief under ABS exited Saturday. Incoming is Harry Rascoe, who used to hold the same post down here sometime ago.

## Carolyn Marsh on CBS

Carolyn Marsh, Al Siegel protégé from vaudeville and the niteries, gets a CBS sustaining build-up starting April 15.

Miss Marsh will be on a three-times weekly schedule.

## Index on Ether Actors' Antecedents; Everything from Bankers to Sailors

Where do radio entertainers come from and what did they do prior to becoming radio performers?

A partial answer is represented in a breakdown of biographical data filed with VARIETY during the last couple of months. Actors and announcers filling out biographical index cards disclose the following facts with respect to pre-radio antecedents:

- Before Radio
  - No. Occupation.
  - 10. .... Actors
  - 11. .... Writers
  - 12. .... Stage Directors
  - 13. .... Newspapermen
  - 14. .... Circus Performers
  - 15. .... School Teachers
  - 16. .... Vaudevilleans
  - 17. .... Minstrels
  - 18. .... Businessmen
  - 19. .... Church Musicians
  - 20. .... Salesmen
  - 21. .... Home Talent
  - 22. .... Sailors
  - 23. .... Musicians
  - 24. .... Soldiers or Fortune
  - 25. .... Advertisers
  - 26. .... Engineers
  - 27. .... Hotel Clerks
  - 28. .... Film Producers
  - 29. .... School Teachers
  - 30. .... Lawyers
  - 31. .... Bankers
  - 32. .... Lyceum-Chautauqua
  - 33. .... Executives
  - 34. .... Salesmen
  - 35. .... Psychologists
  - 36. .... Cowboys
  - 37. .... Explorers
  - 38. .... Illustrators
  - 39. .... School Teachers (unreported)
- (Radio performers who have not filled out biographical cards may obtain proper forms by writing VARIETY, 165 W. 46th street, New York. No charge.)

## Chicago Chiseling of Talent Still Reported; \$5-\$7.50 Rate Common Despite Alleged Higher Billing

### SHEPARD TOPS NEW GROUP

Massachusetts Radio Committee of N. A. B.ers

Boston, Feb. 6. John Shepard, 3rd, president of the Yankee Network, was elected chairman of the newly formed Massachusetts Committee of the National Association of Broadcasters at its initial meeting in the Hotel Buckminster Feb. 5.

J. J. Storey, manager of WTAG, Worcester, was elected vice-chairman; and S. S. Moffat, president of WMAS, Springfield, secretary.

Purpose of the Massachusetts committee is to co-operate with the National Association of Broadcasters in legislative and administrative matters that particularly affect Massachusetts. Frequent committee meetings will bring together state radio executives for discussion of industry problems.

Philip G. Loucks, managing director of N.A.B., was in town for the opening meeting. Local committee is one of several similar state organizations encouraged by the national association.

Among the radio executives attending the meeting were: J. A. Holman, WBZ, Boston; Joseph Groves, WEEI, Boston; R. L. Harlow, W.A.B., Boston; Al Pote, WMEX, Boston; Robert Donahue, WLBZ, Lowell; E. Hill, WORC, Worcester; Irving Vermilya, WNH, New Bedford; F. M. Maddix, WBSO, Wellesley, and W. T. Welch, WSAR, Fall River.

## Ricardo Cortez as M.C.

Hollywood, Feb. 11.

Ricardo Cortez will be permanent m.c. of the Guy Lombardo, weekly NBC half-hour program from here, which started Wednesday (7) for Plough Chemical Co.

Plus the Lombardo orchestra, Cortez carried a singing chorus of 12, recruited locally. Pat Barnes was m.c. in the east.

Chicago, Feb. 11.

Despite the yelps of a few lusty performers the chisel on other script salaries is still reported going strong among the local stations and agencies. While wages, commodities and other prices in other fields are steadily climbing the radio pay in Chicago remains in the gutter. Salaries of \$5 and \$7.50 a show (commercial) are quite standard, nothing doing down about it except green-shroom-walling among the artists.

What turns the performers locally is that they are convinced in most cases the clients are billed for better pay and think that the performers are getting \$20 or \$25 a show. In some cases performers have tried to stop this by asking that pay checks come direct from the sponsor but in every case these performers have been sat on quickly by the agency men. In several cases in Chicago performers are reported getting personal checks from agency and station chiefs instead of company checks from the agency or station direct.

It is estimated that the salary chisel on performer pay checks runs as high as 50% in some cases, which indicates that the amount of chisel is steadily growing instead of decreasing. The reason for salary chiseling is due in the main to the increase of dramatic performers trying for other jobs in Chicago at present, there being approximately 500 artists bounding the stations and agencies for jobs. Because of the keen competition for jobs the performers are taking the knifing silently.

## Patterson, Royal at WHIO

For Get-Away Ceremonies

Dayton, O., Feb. 11.

Dayton's new radio station, WHIO, operated by the Dayton Daily News and Times, is now operating on Saturday afternoon and staged a two-hour opening dinner program in the Hotel Miami in the evening.

From 6 to 6:30 o'clock, Will Rogers, Carol Dels, John Alva Lewis and Ames 'Andy' were heard on a coast-to-coast salute over the WEAF Red network. Dinner followed during the next hour and from 7:30 to 8 o'clock there was a coast-to-coast salute from the Dayton studio, including in person James Crawford, John F. Royal and Richard C. Patterson. This was broadcast over the NBC WEAF network.

Approximately 700 invited guests attended the show. The first is Dayton's second radio station to get under way within a week in a big way. Station WSMK of the Dayton Journal-Herald began operations in its new quarters last week by staging a three-hour entertainment open to the public in the N. C. R. schoolhouse, which packed the place with more than 3,000 persons, while three times that many outside were unable to get in.

## Junior League on KYW

Philadelphia, Feb. 11.

KYW goes swanky and the Philly sector of the Junior League goes radio when both get together this week for the commencement of a children's series to be aired on Sundays.

Junior Leaguers are the same group which has been presenting the Junior Theatre, the Academy of Music here. The group includes such upper-crust names as Mrs. M. Price Hartley, Nancy Brown, Alice Tatenhall, Mary Ross Stein.

Radio deal was swung by Carol Irwin, KYW program directress, who is social too. Junior Leaguers will use standard published works and pay all royalties.

## Caulfield at WBXX

Sidney Caulfield, executive of Standard Cable company, which owns WBXX, Bronx, is new station commercial director. Succeeds Sidney Flamm who chived down to WMCA for a similar post.

## Jack Stewart Joins WFIL

Philadelphia, Feb. 11.

Star additions at WFIL to become effective next week will include Jack Stewart, former manager of WCAE, Pittsburgh. He will handle sales promotion for the NBC outlet here.

Other arrangements send Helen Gray, former WFI p.a. to the new studio's special events department, while George Debbler of the Lit Brothers advertising staff comes in to supervise press relations.

Don Withycomb has moved his office from his hotel suite to a nearby office building, which houses the excess of the station. Position is temporary, pending the erection of new studios.



# RADIO SHOWMANSHIP

(Stunts, Tie-Ups, Program Novelties)

## Outstanding Stunts

TIME-SCHEDULING ACTS  
RUDY VALLEE PROGRAM

BOK AWARD SCOOP  
WIP, PHILADELPHIA

Clocking Headliners.

New York.

Practice of announcing at the start of the program the exact time of each of the various headlines is a smart trick by the Rudy Vallee-Fleischmann Yeast program (J. Walt Thompson agency) here this "Tonight you will hear Kitty Carlisle at 8:05. Tom Terrill will be heard at 8:15 and at 8:35. Ethel Barrymore, assisted by Horace Braham, will give an excerpt from "School for Scandal," etc., etc."

This is an adaptation to radio of the clocking of turns long used in big time vaudeville and recognizes the fact that many listeners may especially be interested in one part of a program without wishing to stay tuned in throughout for one reason or another. On the theory that part of a listener's attention is better than a complete turn-off, the Fleischmann show makes it possible for the dialer to use his or her wristwatch and a little selectivity.

WIP Scoops Dailies

Philadelphia.

WIP scooped the dailies on the announcement of the winner of the \$10,000 Bok Award last Monday night. (4). Recipient's identity is guarded closely, not being made until the prize is actually presented. Studio, after much angling, finally overruled the committee's outlawing of radio and installed lines only to be mixed in turn by the fire underwriters, who denied broadcasting permission. Still not licked, station announcer wrangled a pass to the ceremonies and dashed across the street to the Bellevue-Stratford hotel where WIP carries as a band remote.

Studio had an account of the activities and the winner's name on the air five minutes after it was announced—and the dailies are plenty burned.

Gabby Gents

New York.

Lack of showmanship is manifested nightly, especially after 1 a.m. by the undue verbosity of the nite club m.c.'s who talk on and on when the listeners in who are up at that hour want to hear dance music, if anything.

M.C. at the Village Barn via WNEW is one example of needless gab when the band would be much more welcome.

Dramatizing the Weather

Philadelphia.

When WPEN engineer Tom Ryan became snowbound last week while on duty at the studio's new transmitter, located in an isolated section of the city, he became the subject of a dramatic "Arctic."

Chief Engineer Howard Franzer and a corps of news scribes dug up Captain Earl Hammond, a Norwegian explorer visiting here on a lecture tour. The group attired in apparel from Hammond's paraphernalia, set out with his team of Chief Engineer and brought Ryan back to civilization.

Hearst Angle

Baltimore.

Pursuant to the editorial policies of the Hearst publications, which have been tub-thumping for Uncle Sam to strongly re-arm in case of sudden war, WBAL has taken to giving free spot announcements to the Marine Corps' local recruiting station. The station is Hearst-owned.

Spots boost the service. In honey-eyed phraseology and describe how and where a man may enlist.

WTOC's Hotel Studio

Savannah, Ga.

WTOC, Savannah, Ga., has opened an auxiliary studio in the Hotel Savannah for remote control programs. A display window on the first floor of the hotel will be used for advertiser's spreads.

Andrew Smith of the hotel cooperated with the program department on this tie-up.

Let's Quit Killing

Portland, Ore.

Sleepy motorists who crawl out of bed on dark winter mornings just in time to gulp a cup of coffee and dash to work are now able to switch on the radio and learn the condi-

tions of Portland streets—learn where ice has formed and where to drive with extreme caution.

Through co-operation with The Oregonian and the Oregon State Motor association in their "Let's Quit Killing" program, the police department compile records of street conditions early each morning. At 7:30 a. m. each morning, The Oregonian radio station KEX, co-operating in the traffic safety campaign, broadcasts the report. This reports contain accurate information on especially bad, icy curves and an official warning to hurrying motorists.

All Scandinavian Program

Seattle.

All the Swedes aren't in Minneapolis. Seattle seems to have its quota, so KJR deems it good stuff to run an all-Scandinavian program now and then. Oscar Jorgensen, with the title "Scandinavian Reporter of the Air," gives flashes in the Northern jargon on things new and interesting among and to the Scandinavian element, here and there.

Program is rounded out by vocal numbers a la Scandinavian.

Screen Adapts Liked

Buffalo.

WBBN Sunday night programs offering dramatizations of the current motion picture successes in connection with the Shea Theatres, has developed into one of the most popular local programs. One script writer is assigned to cover the picture to do the continuity and transcript portions of the dialog. The entire film is then re-enacted with a speaking cast.

Public seems to like stunt programs.

Bermuda on the Cuff

New York.

Bermuda News Bureau thought up the stunt about sending the winner of WOR's little theatre contest to the tropical resort in April. Consider it a fresh tie-up which will result in fanfare reaching entirely new groups.

Journey is sponsored by Bamberger company, and has rolled down to 12 New Jersey groups trying out in plays of their own choice. Airs on Thursday at 8:30 p.m. First there were 59 in the race. A cash award and a silver loving cup go to each of the three finalists, with the first prize including the free Bermuda jaunt.

Lending a certain tang-to the journey is the cordial invitation extended by His Excellency, the Governor of Bermuda, Sir Thomas Astley Cubitt.

16 Hours to Fill

Buffalo.

One place where highbrows and culture hounds get the glad hand from radio execs is at the Buffalo Broadcasting Co., where more than 25 hours weekly is devoted to brain balm.

B. B. C. has both WGR and WKBW. Two stations toss CBS programs back and forth between them all day, leaving 16 hours daily to fill on both stations.

Talks range from Boy Scout palaver to femme who airs weekly talk on Latin language. Remote wires pick up talks on the stars and latest sensations in etruscan pottery from the Museum of Science. Wire also installed in lobby of Y. M. C. A. for Wednesday evening religious sessions.

WBBN, other major station here, booked fairly solid with NBC items. WWSV, board of education outfit, is the mystery of the local dials. So the professors bear down on B. B. C. (B for brains, according to the Lounsberrys).

Spelling Contest's Fifth Year

St. Paul.

Fiftieth annual spelling contest sponsored by station WGL and Ft. Wayne Milk Council gets under way middle of February. One of the most popular stunts of local stations.

Public and parochial schools participate and awards include more than \$100 in money and loving cups inscribed with winners' names.

NBC Stunt: Gals Kidned

Toledo, O.

Ralph Phelps, radio editor of the Toledo Blade, waxed sarcastic on a stunt of NBC's. As an example of reverse reaction his comment is quoteworthy.

"It takes these radio companies to make themselves ridiculous in efforts to offer something new in broadcasting. For example, the NBC next Tuesday is going to permit the radio listeners to hear sound effects as produced by a pen, a cane and a piano owned by Abraham Lincoln. The broadcast will originate from the Lincoln exhibit of the Chicago Historical Society."

"Now you are expected to await with breathless anticipation the moment when you will hear the pen, scratching over a piece of paper, and the cane tapping on the floor. You are expected to gather your children around you. Easing them tightly and with proper inflections and whatnots in your voice, you are expected to impress upon them most deeply that they are about to hear a most momentous event."

WHK Goes Statistical

Cleveland.

WHK is going statistical in effort to increase local coverage, drawing up certified statement of broadcasts to prove it makes a bigger showing in local productions than other two Cleveland chain outlets.

For month of December, statement reveals, WHK produced 651 local programs, or 41% of total of broadcasts to prove it makes a bigger showing in local productions than other two Cleveland chain outlets.

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Soap Box Boy Scouts

St. Paul.

Thomas Dunning Rishworth opens his annual public speaking course for Boy Scouts, Thursday (14). Last year 42 signed up and the number so far—registered indicates 75 will answer here when roll is called.

Course leads up to a city-wide public speaking contest which Rishworth conducts in May of each year. Rishworth is instructor and selects three judges who award a two-week's stay at a Scout camp of the first prize winner's own choosing, and bronze medals for the next two winners.

Hal Collins at Mike

Fort Worth.

Crazy Water Co., celebrated its fifth anniversary on the air by broadcasting the first of its new series of weekly hour programs over the Southwestern Network from the commercial's home town, Mineral Wells, Tex., last Saturday night (9). Show originated in the Crazy Water Hotel's lobby before an audience of 2,800 persons.

Some 22 acts took part. Hal Collins, prez of the Crazy Water Co., handled the commercials.

Goldstein's Boilerplate

New York City.

Leon Goldstein, p.a. chief at WBXN, Bronx, has turned columnist for a group of small periodicals, having the combined coverage of 150,000 readers. "Getting the Air" is the title of the weekly sub which is sent out.

Hartsdale Times, Neighborhood News, Northside News—are among the periodicals using the service. WBXN gets casual mention. Writes under the monicker of Donald Lee.

# 4 STAR MUSIC!

45 MINUTES in HOLLYWOOD

C.B.S.

ADMIRAL BYRD

COBINA WRIGHT

ACCOMPLISHMENTS OF 1934

★ "45 MINUTES IN HOLLYWOOD"

SPONSORED BY BORDEN'S

★ "PRESENTING MARK WARNOW"

A COLUMBIA FEATURE, PRESENTED BY C.B.S.

★ "ADMIRAL BYRD'S" Broadcast

SPONSORED BY GENERAL FOODS

★ "YOUR HOSTESS" COBINA WRIGHT

FEATURING

Distinctive Music for Distinguished Programs "The 4 Star Music of

MARK WARNOW

MANAGED EXCLUSIVELY

by Columbia Artist Bureau

WARNOW



# The Jigsaw Puzzle of Radio



Every sponsor is puzzled with the problem of putting a radio program together. He gets the pieces of the jigsaw—a band, a singer, a comedian or a dramatic star—slaps them together and then wonders that the program fails. He has overlooked the key to the puzzle:



**"THE PLAY'S THE THING!"**

**EDDIE  
CANTOR**

**AL  
JOLSON**

**FANNIE  
BRICE**

**GEORGE  
GIVOT**

**HELEN  
MENKEN**

**BLOCK  
and SULLY**

Here are six great radio stars, who recorded a steady rise in popularity according to the Crossley Report, which is the ABC of radio circulation. Their programs received nationwide acclaim because they were conceived and written by David Freedman.



Presenting a program requires as much knowledge and experience as merchandising a product. You wouldn't think of selling toothpaste out of a barrel, or perfume in an oil can. Nevertheless, many programs are built with just as little skill and offered to the radio public.

The art of building a program that will blend the product with the entertainment and insure the greatest degree of sales as well as popularity requires showmanship and creative ability.



SOLVE YOUR PUZZLE WITH

# DAVID FREEDMAN

All Communications—A. L. BERMAN, 551 Fifth Ave., New York

# Here and There

Harold Mabes, Thomas Hale and Walter Stonger, all of WBSL, Syracuse technical staff, are new papers.

Clyde Kissinger, winner of first amateur night program on WSAI, Cincinnati, also won permanent berth on that station's talent staff with his guitar and vocalism.

Jack Little now handling radio at Club Victor broadcast, over KOMO, Seattle.

M. H. Aylesworth was a week-end guest of William Randolph Hearst at his San Simeon ranch.

Don Gilman in L.A. again.

Robert Brooks leaves KFSD, San Diego, to join the NBC technical staff in Hollywood.

C. P. MacGregor of MacGregor-Solite recording labs in San Francisco, taking a business swing around the state.

Hal Beck, NBC p.m., couldn't fix Los Angeles traffic tag and paid \$8.

Glenn Snyder, WLS, serving on the present Federal grand jury.

Dave Owen ducking the loop for a couple weeks of St. Petersburg sun.

Niles Trammel pounding the rattlers on his stations relations corner on the new NBC rate setup.

Harry Hollander handling publicity for WJJD, Chicago.

Equity Actors' Ass'n. is circulating a booklet by Alfred Harding titled: 'Pay and Conditions of Work of Radio Performers.'

Bill Davidson has left KMTR, Hollywood, and goes to NBC to announce the Bing Crosby program

and other transcontinentals from the Coast.

Naylor Rogers, managers of KNX, back on the Coast after three weeks in Washington.

Don and Jack, banjo, violin and singing act on CHSJ, St. John, N. B., made their stage debut at the local Empire.

Jane Rockwell has joined staff of WKBB, Dubuque, Iowa, as singer. Only 16 years old.

Anna Courtney promoted to chief of hostesses at the NBC arena, Chicago.

George Couper practically commuting between Loop and Times (Continued on page 62)

## WNN AMATEURS' SPONSOR

Credited With Starting Present Simon Pure Cycle

Maj. Bowes' Amateur Hour over WHN, New York, goes commercial on Friday nights under Carlebach Sprudel Salts banner. First of the series went on this past week (8) with Morton Downey as m. c. This hour is in addition to the regular NBC Carlebach series.

Five winners of each Tuesday's amateur night are picked for the Friday night airings. Comes on at 7:15 for a half-hour run. At various times previous winners will also be called upon. Contract runs for 13 weeks.

Downey may be a regular member of the extra Friday night program.

## Helen Hancock at WMCA

Helen Hancock, formerly morning program director at WOR, has joined WMCA, as assistant to Lewis Reid, program director. Has been in pictures and radio publicity work for the past eight years.

Other WOR grade now with WMCA include Reid, Bertram Lehar, Jr., sales, and Alma Graef, secretary.

## Amos 'n' Andy Bookings

William Morris office has extended Amos 'n' Andy's southern percentage one-niters for an extra (third) week, commencing Feb-17. They're currently rounding out the first fortnight.

Added dates start with Durham and include Raleigh, Roanoke, Charleston, Huntington, Johnstown,

## CANTOR'S RECORD

Gets Top Rating in Crossley Reports on First Return Program

A record for all-time in commercial radio is the Eddie Cantor top-rating in the Crossley reports, achieved strictly on his first program for the new Pebecco sponsor.

Special check on behalf of Lennen & Mitchell, Pebecco agency, divulged that Cantor's initial 30-minute program proved the top brackets as compared to others who have been consistently and uninterruptedly on the air.

## Phil Andrews Goes East

Chicago, Feb. 11. Tom Fitzdale and Phil Andrews are opening a New York office. Andrews will top the eastern desk, with Fitzdale remaining in Chi. Among their accounts the Fitzdale-Andrews firm handles the Johnson Wax show, the Armour-Phil Baker program, and Clara, Lu and Em.

## Amateurs Hazed

(Continued from page 49)

and wept when the ruckus waited above his vocalizing. At this the audience of the exhibit came, when a woman was intro'd as a coloratura soprano. She tripped up to the mike with great dignity and proceeded to warble a foreign-tongued song with great emotion. She, of course, was a natural for the mob of hecklers. They roared their scorn. She stopped suddenly and shrieked, 'You damn jackasses!' It was only with adroit and quick action on the part of the announcer that he snatched the mike away from her and kept her speech from being transmitted over the air; many in the room heard it, however, and the heckling consequently increased. When she stalked off the floor she turned, just before exiting and vengefully thumbed her schnozzle at the tormentors.

After the broadcast the sponsor of the program and WCBM were besieged by phone calls and letters condemning the affair. And requests for duets for future broadcasts reached a record high. Station and the sponsor are executing greatest care in discharging admish pasteboards for the coming program. Persons entering will be scrutinized and when a stable group waits in they will be questioned as to their intentions and watched during the program's unraveling.

International amateur night is planned by Triangle Furniture company over WBBC, Brooklyn, this month. Free-for-all to come on Sunday nights and last a solid hour. All tongues can have a chance for airing here.

Triangle account, one of the oldest on the station, has been broadcasting steadily for three years now. Formerly had a German hour over WBBC, but landed on the trout stunt as a direct departure. It will run from 9- to 10 o'clock.

Grunow refrigerator and radio returning to the ether with the Minneapolis Symphony on Feb. 23 over CBS. Will also carry Anne Campbell, the poet lady of Detroit.

Dallas Gas Co. sponsoring 15-min. each Tuesday at 10:45-11:00 a. m. over WFAA. Vocalists Frank Monroe and Jack Prigmore.

Memphis, Feb. 11. Memphis accepted Amateur Night in a big way by packing Warner theatre at every performance of the WMC Radio Review and Amateur show Monday, Jan. 28- and Feb. 4. Show differed from established lines in that most of performance was presented by professional station staff entertainers, with different acts of nine amateurs each, presented at each performance.

Two performances on each night played to a full house. Amateur winners were decided by applause-meter similar to one used on Fred Allen NBC show, rigged up by WMC engineers. Impresario Jim Sanders, staff announcer, and Jack Richmond are his ark largely responsible for the show's pace and well-staged routine.

Station plans to present show weekly as long as crowd shows approval.

One of the longest-continued tieups in radio history between a station and a hotel was ended recently when a WGY wire was removed from the Rainbo Room of the New Kenmore Hotel, Albany. The Schenectady transmitter had been broadcasting programs by name orchestras and floor-show artists from the Albany spot for more than ten years. For a long time the salvos originating in the Rainbo Room were rated WGY's strongest bet in the popular music field. Even after network hookups became the big thing in the ether-wave field, the Kenmore shots held up well in point of listening pull with WGY's audience. The heavy schedule of broadcasts from that hotel was lightened about two years ago, when the daily luncheon-hour, supper-time and late-evening arrangement was dropped. This winter, Chic Condon's orchestra, and floor-show entertainers, were heard only at night.

Samuel Rosenbaum, proxy of WFIL, Philadelphia, was elected to the vice-presidency of the Philadelphia Orchestra board last week following a civic controversy which resulted from Leopold Stokowski's resignation from the orchestra's baton assignments.

Rosenbaum, a Philly lawyer and well known local music sponsor, was a member of the old board and had been actively working for the patch-up between the leader and Philadelphia Orchestra committee. Stokowski announced last Wednesday (8) that the new agreements were satisfactory and that he will return as director next season. Univ. of Pennsylvania proxy Gates heads the newly formed combine.

Figures submitted to Musicians' local, 47, of Los Angeles, by the Music Corporation of America, indicate the breakdown of the \$2,500 weekly stipend drawn down by the Ted Fio Rito band for the Campbell Soup hour over Columbia Broadcasting System. Weekly outlays include: CBS, \$150; MCA, \$250; payroll (45 bandmen at \$25 each), \$1,125; two extra men, \$50; one Hawaiian effects, \$25; standby, \$150; Johnny Candy (entertainer), \$75; Muzzy Marcellino, \$50; trio, \$150; girlie trio, \$150; vocalist, \$75; arranging staff, \$250, for total of \$1,850. Which leaves \$650 for Fio Rito.

Lester Gottlieb is out as radio editor of Newsweek, following a jam with the mag's higher-up over a personality sketch of Jessica Dragonette. Sister of the mite soprano complained that the article described

(Continued on page 62)

# MISSSED AGAIN!

NEW YORK WORLD-TELEGRAM

Feb. 2, 1935

THE RADIO EDITORS' VOTE FOR FAVORITE PROGRAMS FOLLOWS:

1. Jack Benny. . . . . 248
2. Fred Allen. . . . . 112
3. Vallee Hour. . . . . 107
4. March of Time. . . . . 81
5. Waring's Pennsylvanians. . . 79
6. Alexander Woolcott. . . . 57
7. Philharmonic Orchestra . . 54
8. WJZ Sunday Drama Hour . 53
9. WEAF Tuesday Operettas . 48
10. Amos 'n' Andy. . . . . 43
11. One Man's Family. . . . . 33
12. Paul Whiteman's Orchestra 31
13. WEAF Opera Guild. . . . . 25
14. Metropolitan Opera. . . . . 24
15. Carefree Carnival. . . . . 19
16. Show Boat . . . . . 17
17. Phil Baker. . . . . 16
18. Will Rogers. . . . . 15
- 19-20. Bing Crosby and Bowes Amateur Hour. . . . . 14

# "EASY ACES"

NBC, 7:30

MONDAY—TUESDAY—WEDNESDAY

ED' FOX Presents

# EARL HINES

AND HIS

## Grand Terrace Orchestra

Featuring KATHYRN PERRY

HEADLINING

RKO PALACE, New York, THIS WEEK (Feb. 8)

WEEK OF FEB. 15th ALBEE, BROOKLYN

Direction

HARRY D. SQUIRES

# IDA BAILEY ALLEN

NATION'S LEADING WRITER ON HOME ECONOMICS  
4-TIME WINNER IN NATION-WIDE POLL

(1931, 1932, 1933 and 1934)  
CONDUCTED BY THE NEW YORK WORLD-TELEGRAM

AMERICA'S FOREMOST BROADCASTER  
on  
COOKING AND HOUSEHOLD ASSISTANCE

PERSONAL MANAGEMENT

JESSE S. BUTCHER, 400 Madison Ave., New York City





# Radio Directory

(Executives of both major networks and of leading regional webs are listed below together with personnel of stations in New York, Chicago, Los Angeles and San Francisco.)

## New York City

**NBC**  
(Stations WJZ-WEAF)  
30 Rockefeller Center  
Circle 7-8300  
M. H. Aylesworth, President  
Richard C. Patterson, Jr., Executive V.P.  
Mark Woods, Asst. Executive V.P.  
A. L. Ashby, V.P. and General Attorney  
Edgar Kobak, V.P. in Charge of Sales  
John F. Royal, V.P. in Charge of Pro-  
gram  
George E. V.P. in Charge of Artists  
Services  
Roy C. Witmer, V.P. in Charge of East-  
ern Sales  
David Rosenblum, V.P. in Charge of  
Planning and Development  
Henry C. Norton, Treasurer  
Lewis MacConach, Secretary  
C. W. Horn, Dir. Research and Develop-  
ment  
Frank E. Mason, V.P.  
G. W. Payne, Commercial Engineer  
J. de Jere Almonte, Evening Gen. Mgr.  
**Department Heads**  
Donald S. Shaw, Eastern Sales Mgr.

Alfred H. Morton, Mgr. Program Dept.  
Bertha Brainard, Commercial Program  
Mgr.  
Thomas Holvick, Charge Music Library  
Quinton Adams, Office Manager  
John R. Carey, Service Manager  
D. B. Van Houten, Office Supervisor  
W. D. Blochman, Chief Engineer  
R. J. Teicher, Assistant Treasurer  
H. M. Kelly, Assistant Auditor  
Paul P. Kelly, Mgr. Statistical Dept.  
Dorothy Wilcomb, Mgr. Station Rela-  
tions Dept.  
C. E. Hanson, Chief Engineer  
E. P. H. James, Sales Promotion Mgr.  
D. S. "Public" Zimmerman, Mgr. Artists  
Service  
Harold Kemp, Artists Service Bands  
Lloyd O. Eber, Transcriptions

**CBS**  
(Station WABC)  
485 Madison Ave.  
William S. Paley, President  
Edward Klauber, Executive V.P.  
Sam Pickett, Asst. Pres.  
Hugh Kendall Hoke, V.P. in Charge of  
Sales  
Lawrence W. Lowman, V.P. on Opera-  
tions and Secretary  
M. H. Burton, Treasurer  
M. C. Gittinger, Sales Mgr.  
William H. Duhamel, Asst. Sales Mgr.  
P. F. Hayward, Comm. Program Dir.  
R. S. Paley, Program Operations  
J. G. Gude, Publicity  
Edwin K. Cohen, Technical Dir.  
Paul White, Special Features  
Paul W. Keen, Sales Promotion  
John Kroll, Market Research  
Robert Stephenson, Local Sales  
John C. Carlini, Chief Engineer  
Frederic F. Willis, Educational Dir.  
Julius Mattfeld, Music Library  
John Cowham, Commercial Engineer  
Courtney Sayre, Dramatic Dir.  
John J. Wondra, Mgr. Artists' Bureau  
Paul Ross, Mgr. Personal Bookings

**DeWOLF HOPPER**  
With  
RHYTHM SYMPHONY  
SPONSORED BY  
**UNITED DRUG CO.**  
Sunday, 3 P.M., CST  
NBC  
COAST-TO-COAST  
Personal Management  
**H. C. HOWARD**  
Fine Arts Auditorium  
Phone Harbord 3509  
CHICAGO

**HOTEL BILTMORE NIGHTLY**  
**JACK DENNY**  
AND HIS ORCHESTRA  
WJZ  
Mon., 11 P.M. | WEAF  
Tues., 11:30 P.M. | 12 P.M. | WOR  
Wed., 11:30 P.M. | 12 P.M. | 8:30 P.M.  
**CONOCO OIL**  
Wednesday, 10:30 P.M., WJZ

**GRACIE BARRIE**  
Sole Direction  
**HERMAN BERNIE**  
1619 Broadway, New York

**LEON BELASCO**  
ARMOUR HOUR  
FRIDAY-WED-9:30-10 P.M.  
NIGHTLY, CASINO DE FAMES  
Broadcasting—Coast-to-Coast—CBS  
Direction, HERMAN BERNIE  
1619 Broadway, New York

**fred allen's**  
"TOWN HALL...TONIGHT"  
an  
HOUR OF SMILES  
PORTLAND HOFFA  
JACK MART  
LONER STANLEY  
JOHN BROWN  
MISERY PIOUS  
EILEEN DOUGLAS  
Material by Fred Allen and  
Harry Dugand  
Management, Walter Batthol-  
omew  
Wednesday  
8-10 P.M. E.S.T.—WEAF

## Chicago Ad Agencies

### Radio Production Executives

Aubrey, Moore & Wallace, Inc.  
410 North Michigan Ave.  
J. H. North  
F. G. Ibbett  
Batten, Barton, Durstine & Os-  
born  
221 N. La Salle St.  
George May  
Blackett-Sample-Hummert  
221 N. La Salle St.  
N. H. Peterson  
Roscoe Barrett  
Doremus & Company  
208 S. La Salle St.  
H. Ray Henderson  
Erwin, Wasey & Co.  
245 Wabash St. N 022  
William Wedekin  
Frederick & Mitchell, Inc.  
360 N. Michigan Ave.  
Karl Frederick  
Charles Daniel Frey  
333 N. Michigan Ave.  
Larry Trigg  
Gundlach Advertising Co.  
400 N. Michigan Ave.  
Irving Rosenbloom  
Hanft-Metzger of Ill.  
630 N. Michigan Ave.  
S. J. Andrews  
Hays McFarland  
333 N. Michigan Ave.  
Hays McFarland  
Henri Hurst & McDonald  
550 N. Michigan Ave.  
N. L. Pumpham  
Frances Hooper  
400 N. Michigan Ave.  
Frances Hooper  
360 N. Michigan Ave.  
Ben Frost  
Kirkland-Engel  
646 N. Michigan Ave.  
R. M. Kirkland  
Lord & Thomas  
919 N. Michigan Ave.  
Ed Alechire  
Lewis Goodkind  
Matteson, Fegarty, Jordan  
407 N. Michigan Ave.  
H. L. Weller  
McCann-Erickson  
910 S. Michigan Ave.  
Raymond Atwood  
McJunkin  
223 N. La Salle St.  
Gordon Best  
Morris, Windmuller & Enzinger  
230 N. Michigan  
George Enzinger  
Carroll Dean Murphy  
35 E. Wacker Drive  
James Shebel  
Needham, Louis & Brorby  
360 N. Michigan Ave.  
Helen Wing  
Naizer-Meyerhof  
400 N. Michigan Ave.  
Walter Rubens  
Reincke-Ellis-Youngren-Finn  
520 N. Michigan Ave.  
Russ Williams  
Roche, Williams & Cunningham, Inc.  
Strauss Bldg.  
William Roche  
Rogers & Smith  
20 N. Wacker Drive  
Everett Opie  
Ruthrauff & Ryan  
360 N. Michigan Ave.  
Nate Caldwell  
Sellers Service  
8 S. Michigan Ave.  
George Couper  
Stack-Goble  
9 S. Michigan Ave.  
Ralph Goble  
J. Walter Thompson  
410 N. Michigan Ave.  
Dick Marvin  
George Allan  
Wade Adv. Agency  
203 W. Washington St.  
Walter Wade  
Young & Rubicam  
221 N. La Salle St.  
D. G. Scheider

months, 333 times, to begin Feb. 1.  
Placed by Olmsted-Hewitt, Inc.  
Minneapolis. WFAX.  
Gulf Breeding Co. (Grand Prize  
Bison) ten times, to begin Jan. 21.  
Placed by Rogers-Gano Advertising  
Agency, Houston. WFAX.  
E. J. Nicholson, Inc. (garden  
seed), 26 times. Placed by Johnson  
Advertising Co., Dallas. WFAX.  
Employers Casualty Co. (insur-  
ance), Texas. Gulf Group pro-  
gram, to begin Feb. 10, Sundays, 15  
minutes, dance and sweet music or-  
chestra, 22 times. Placed by Iru de  
Jernett Advertising Agency, Dallas.  
WFAX, to begin Feb. 10, KPBC.  
Consolidated (building  
material), Texas Quality Group pro-  
gram, to begin Feb. 11, daily except  
Sunday, quarter-hour, 15 times,  
11-piece orchestra. Carfax and  
Skillit, blackface team. Placed by  
Erie Racey Advertising Agency,  
Dallas. WFAX, WOA, KPBC.  
Morton Milling Co. (La France  
Flour) one 30-minute program  
indefinite. Placed by Erie  
Racey Agency. WFAX.  
C. A. Jones (furs), announce-  
ments, indefinite, direct, commence-  
ment Jan. 15, 15 minutes every  
Sunday, quarter-hour, 15 times,  
11-piece orchestra and announcements.  
WRR.


**SAN FRANCISCO-OAKLAND**  
Dr. D. P. Dyssart, "Old Fashioned  
Gin" 30 quarter hours. Placed di-  
rect. KROW, Oakland.  
Lee Typeewriter Co., 104 spot an-  
nouncements. Placed direct. KROW,  
Oakland.  
Marmolin Sales Co., 78 quarter  
hours of music. Placed direct.  
KROW, Oakland.  
Sperry Flour Co., "Al Pearce and  
Gang," five quarter hours. Westco  
Agency, KFO, San Francisco.  
Dr. Strassk Laboratories, Rajput  
wax, two quarter hours weekly,  
Hixon-O'Donnell Agency, KFO,  
San Francisco.  
Best Foods, three quarter hours of  
wax weekly. Benton Bowles Agency,  
KFO, San Francisco.  
Technical Laboratories, Spanish  
orchestra; two quarter-hours week-  
ly. Bob Roberts & Associates,  
KFO, San Francisco.

**LOS ANGELES**  
Bernard Perfume Co., spot an-  
nouncements. Placed by Hilmer V.  
Swenson Co. KNX.  
Power Seal Co., 4:30 to 7 a.m.  
daily, 6:30 Express program. Placed  
direct. KNX.  
Northrup, King & Co., spot an-  
nouncements. Placed by Olmsted-  
Hewitt. KNX.  
Laura Souder Food Co., spot an-  
nouncements. Placed by  
Emil Brischner. KNX.  
Continental Guarantee Products  
Co. (foot powder), 12:45 to 1 p.m.  
daily, disc. Placed direct. KFV.

**ATLANTA**  
Ford Motor Co., 26 one-hour tran-  
scriptions, Fred Waring show, Sat-  
urday evenings at 6 o'clock,  
through Atlanta Branch dealers.  
WAB.  
Alka-Seltzer, three 15-minute tran-  
scriptions, week. WSB.  
Washington State Apple Packers,  
Monday, 10-11 a.m., one 10-  
word spot a week. WSB.  
Capital City Products Co., Colum-  
bus, Ohio, 30-words daily, ex-  
cept Saturday for Dixie Margarine.  
WBB.  
Colonial Bread Co., of Atlanta, two  
additional 25-word spots to three 25-  
word spots. WSB.

**PITTSBURGH**  
California Fruit Growers Ex-  
change, 33 spot announcements.  
Placed by Lord & Thomas, KDKA.  
McCormack and Co., Pittsburgh  
dept. store, 25 announcements.  
Placed by Walker & Downing,  
KDKA.  
Coca-Cola Bottling Co., Pittsburgh de-  
partment store, six spot announce-  
ments. Placed direct. KDKA.

**TACOMA**  
Ford Motor Co., extra half hour  
Thursday, total two hours weekly.  
KVI.  
Wyeth Chemical, quarter hour  
daily four days weekly. KVI.  
Cocacola, quarter hour daily four  
days weekly starting Monday. KVI.  
Life Bakers, quarter hour Monday  
and Wednesday. KVI.  
Charterfield, half hour, Monday,  
Wednesday, Saturday. KVI.  
Hudson Motor, half hour, Monday.  
KVI.  
Lipton's Tea, one hour Monday.  
KVI.  
Corn Products, quarter hour daily  
Monday through Thursday inclusive. KVI.  
Dodge Motor, quarter hour Tues-  
day and Thursday. KVI.  
Bacold, renewal for 26 weeks.  
KVI.  
Lehn and Fink, Sunday, half an  
hour, Honey and Almond Cream.  
KVI.  
Limit, half hour Wednesday. KVI.  
Pinetree's "Lilac Time," Wednesday,  
half hour. KVI.  
United Distilleries, Ltd., two an-  
nouncements daily, 9:30-9:45. KVI.  
Stadelbacher, one minute electrical  
platter daily. KVI.



**UNCLE EZRA**  
(Pat Barrett)  
Feared Comedian  
Sponsored by  
ALKA-SELTZER  
Blanketing the New Cities of U.S.A.  
Now Doubling on 2 Network  
Radio—KVI and KDKA  
ing System:  
KVI, Chicago; WJZ, Detroit;  
WLW, Cincinnati; WOR, Newark  
On MSB, 10:15 p.m.  
Mon.-Wed.-Fri.—EST

**PEORIA, ILL.**  
Orbit Cheesing Gum Co., six an-  
nouncements weekly, starting Feb. 3.  
Stack-Gobel Agency.  
Omaha Flour Co., two 15-minute  
transcriptions weekly, Feb. 5 to May  
3. Darcey Agency.  
Rogers (candy), Co., six spot an-  
nouncements weekly.  
Fredman Brothers Furniture Co.,  
six 15-minute programs weekly at 7  
a.m. hillbilly band and one 45-  
minute barn dance program each Friday  
night.  
Commonwealth Loan Co., one-half  
hour weekly, 2 p.m. Sundays, record-  
ings.  
Klein's, six spot announcements  
weekly.  
Hecht's, three spot announcements  
weekly.  
Loosenstein's Furniture Store,  
nine spot announcements weekly.

**LITTLE JACK LITTLE**  
AND HIS ORCHESTRA  
WEDNESDAY NIGHTLY  
IN THE RIVIERA CLUB  
HOTEL LEXINGTON, NEW YORK CITY  
And on Columbia Records  
C.B.S. Coast-to-Coast Network  
Thurs. 8 P.M. | Sat. 8 P.M. | Sun. 11 P.M.  
**PINEX PROGRAM**  
C. B. S. Network  
Wed., Fri., Sun.  
At 1:30 P. M.

**SHREVEPORT, LA.**  
Curtis Candy Co., announcements,  
three daily, one year. KWKK.  
Clarke's Laundry-Gum, announce-  
ments, four daily, 13 weeks. KWKK.  
Minicater Crystals, one-quarter-  
hour program, five weekly, renewal  
for three months. KWKK.  
Central Motors, Inc., Studebaker  
announcements, five daily, one  
month renewal. KWKK.  
Louisiana Oil Co., announcements,  
one daily, renewal for six months.  
KWKK.  
Capitol Products, announcements,  
five weekly, six months. KWKK.  
Alphonse Branger, furniture, an-  
nouncements, five daily, six months  
renewal. KWKK.  
Folger Clothing Store, announce-  
ments, three daily, one week.  
KWKK.  
Harvey's Service Station, an-  
nouncements, five daily, one-year re-  
newal. KWKK.  
J. Levy Co., Inc., announcements,  
three daily, one week. KWKK.  
Whitcomb Contracting Co., an-

**Radio's Newest, Loveliest Voice**  
**BERNICE CLAIRE**  
"Lavender and Old Lace"  
(BAYER ASPIRIN)  
WABC, Every Fri., 4-5:30 P.M.  
Coast-to-Coast  
"Alo Lyman" "Waltz Time"  
(PHILIP'S LIP OF MAGNESA)  
WEAF, Every Fri., 4-5:30 P.M.  
Coast-to-Coast  
Direction  
**LESTER LEE, RKO BLDG., NEW YORK**

**DALLAS**  
-Roney Talcott-Pounder, 100 word  
announcements, 27 times, to begin  
Feb. 11. Placed by Small, Elieppner  
& Seiffer, N. Y. WFAX.  
Northrup, King & Co., announce-

**HERB KINGSLEY and VICKI CHASE**  
WABC  
Saturday Nites at Eight  
**ROXY REVUE**  
Special Arrangements and Material  
Exclusively by  
**JEAN PAUREL**  
Direction, WM. MORRIS

## Chicago

**NBC**  
Merchandise Mart  
Superior 8300  
(Stations WENR-WMAQ)  
Niles Trammel, V.P. in charge  
Niles Ketter, Asst. to V.P.  
P. G. Parker, Asst. Gen. Mgr.  
John Whitley, Office Mgr.  
Elsie Street, Program Dir.  
(Continued on page 78)

**WLNW**  
Universal Broadcasting Corp.  
415 W. 59th St.  
Columbus 5-1029  
H. F. Riley, Dir.  
F. Klerman, Business Mgr.  
R. W. Bivik, Sales Manager  
George O'Brien, Program Dir.  
Eudoin Fort, Musical Dir.  
Joseph Deppa, Chief Engineer.

**White House Cleaners**, one announce-  
ment daily, three months.  
KLZ.  
Hopper Pura, 13 announcements.  
KLZ.  
Swayne Wimbush, Ford Dealers,  
100 announcements weekly. KLZ.  
Felman Gurne, three announce-  
ments every other day, three months.  
KLZ.  
Amato-Fruit Co., 100 announce-  
ments. KLZ.  
Dr. Leo Speers, quarter hour daily,  
six months. KLZ.  
Joe Albert, 100 announcements.  
KLZ.

## New Business

(Continued from page 68)  
hour, barn dance, weekly, one year.  
KOA.  
Mountain Motors, 28 time signals.  
KOA.  
American Gyro Co., one 15-minute  
program. KOA.  
National Western Stock Show  
nites, one-minute announcements.  
KOA.  
Montgomery Ward, 26 one-minute  
announcements. KOA.  
Nourishing Nuts Co., Los An-  
geles, 26 five-minute transcriptions.  
Hughes-Morton Adv. Agency, Los  
Angeles. KOA.  
Associated Chevrolet Dealers of  
Denver, 26 half-hour programs.  
KLZ.  
Adams Radio Service, three quar-  
ter hours a week, indefinite. KLZ.

**Shreveport, La.**  
Curtis Candy Co., announcements,  
three daily, one year. KWKK.  
Clarke's Laundry-Gum, announce-  
ments, four daily, 13 weeks. KWKK.  
Minicater Crystals, one-quarter-  
hour program, five weekly, renewal  
for three months. KWKK.  
Central Motors, Inc., Studebaker  
announcements, five daily, one  
month renewal. KWKK.  
Louisiana Oil Co., announcements,  
one daily, renewal for six months.  
KWKK.  
Capitol Products, announcements,  
five weekly, six months. KWKK.  
Alphonse Branger, furniture, an-  
nouncements, five daily, six months  
renewal. KWKK.  
Folger Clothing Store, announce-  
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KWKK.  
Harvey's Service Station, an-  
nouncements, five daily, one-year re-  
newal. KWKK.  
J. Levy Co., Inc., announcements,  
three daily, one week. KWKK.  
Whitcomb Contracting Co., an-





# Coast Tuners Assured by Mills ASCAP Is Watching Over Them

Hollywood, Feb. 11. Stopoff here of E. Claude Mills, general manager of ASCAP, left the town colony with a better understanding of the issues involved in pending federal litigation and confidence that their interests are being protected. Following a roundup dinner and meeting at the Victor Hugo in Beverly Hills Monday night Mills left next morning for the coast on his swing around the ASCAP circuit.

Dinner brought out every important songwriter to greet the guest of honor, among the greeters being Jerome Kern, who had been similarly honored only a couple of weeks previous. In a confidential talk, Mills told the boys there was no immediate danger in threats against the society and urged them to stick together.

Which they agreed to do.

He invited a barrage of questions and stood up under the fire until all queries were satisfactorily answered and problems analyzed.

L. Edna Gifford, who is the Kern dinner, officiated in a similar capacity at the Mills affair, and even the most chronic ribbers in attendance agreed he did okay. Only a fumble recorded was in the matter of preparedness. Mills forgotting to adjourn said Holden's eulogy to Mills.

WHOLESALE S.F.  
CAFÉ CLOSINGS

San Francisco, Feb. 11. John Law cracked down here Saturday (9) and drove all nine clubs, bars and honkytonks off the downtown section of Market street, town's main stem. Closing followed complaints by merchants and civic authorities.

Largest of the spots affected were Pirate's Cave, Rainbow Inn and Nut Club, in addition to numerous other popular but second class drinkeries.

Closing were effected by refusal of the State Board of Equalization (California) rum enforcement body, to renew licenses. Most of the closed spots plan reopenings in other parts of the city.

Another café closed by police was the Calro, scene of a row in which Major C. A. Rosa was allegedly beaten by club attendants and died after falling downstairs. Investigation brought forward other patrons who charged they were defending Major Rosa's death was attributed to heart failure.

## WHOLESALE S.F. CAFÉ CLOSINGS

SOC. CUTS ROYALTY  
ADVANCES TO 25%

Because of the unusually large number of applications for financial help received from needy members, the American Society of Composers, Authors & Publishers has limited the advances allowed writers and publishers to a quarter of what it is estimated they will draw on the next royalty distribution.

Writers and publishers formerly were permitted half of their money to advance.

Ray Evers Murdered

Galveston, Feb. 11. Police are investigating mysterious murder of Ray Evers, 30, leader of orchestra at Silver Dole café, who was found dying with his head fractured, early Monday. (4) morning.

Evers had been in vaudeville. Survived by two brothers, both of Galveston.

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Olson Goes B&K

Chicago, Feb. 11. George Olsen band decamps out of the College Inn here on Feb. 20. Aggregation shifts immediately into the B. & K. Chicago for a session, starting Feb. 22.

Frank MacFarlane band, Nina Allen and Justice Jai Tai, latter two warblers, compose new show at the Beaux des Art, New York.

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## Grayson to Coast

Seattle, Feb. 11. Hal Grayson band, with Martha Turner, soloist, leave Club Victor tomorrow, with Det. Courtenay band moving in from the Trionon. Charley Carter and Marjorie Bettie are with the Courtney aggregation, which is a 15-piece outfit.

Grayson will barnstorm for a few one night stands in dance halls, on his way to California, where he follows Ben Bernie at Catalina.

## Engel-Van Wiseman Settles With Southern for \$1,600

Infringement action brought by Southern Music Co. against Engel-Van Wiseman, publisher of 6,000,000 nickel lyric folios before members of the Music Publishers' Protective Association withdrew their sanction from the proposition, has been settled with the payment of \$1,600. Engel-Van Wiseman advanced the settlement plan after New York Federal Court had granted Southern Music a default judgment and appointed a referee to determine the amount of damages.

Southern contemplated asking damages of \$20,000 for the three numbers which the publishing firm alleged Engel-Van Wiseman incorporated in one of the lyric folios without permission. One of these numbers was co-authored by Hoge Carmichael and Johnny Mercer, and Southern was prepared to claim that the reproduction of the song by an E-V-W. edition had resulted in Carmichael and Mercer threatening to walk out on their contract with Southern.

## Johnny Mercer's Film Opportunity on Coast

Johnny Mercer has left the Paul Whitman band for a 13-week stay in Hollywood as a lyric writer for the RKO studios. Mercer and his wife started for the Coast Sunday (10).

Mercer's contract guarantees him \$750 a week for 13 weeks and options his services both as writer and actor for a period of five years. Deal was handled for Mercer by Jack Lavin.

## Start Campaign on 'Folies Bergere' Tunes

Hollywood, Feb. 11. With Darryl Zanuck previewing his 20th Century Chevalier production, 'Folies Bergere,' this week, Jack Robbins is simultaneously turning loose a broadside plug on the picture's numbers.

Robbins, now occupying the former L. B. Mayer offices in his role as musical manager for MGM, had Mayer's famed mahogany desk Barton out and a grand piano put in part of the area it had occupied. The Mayer board meeting table he used for stacking 'Folies Bergere' song sheets, orchestrations, piano copy, etc., expressed to him a few days ago by the New York Robbins office.

## Cleveland MCA Office

Chicago, Feb. 11. Music Corporation of America is opening an office in Cleveland. At the desk will be Dave Barton, who was formerly chief of the amusement parks association.

Barton will contact for the Ohio territory running into western Pennsylvania, West Virginia and the South Atlantic states. MCA expects a perk-up in the amusement park trade in this territory with the addition of shows and dance bands.

## Names for Det. Beerie

Detroit, Feb. 11. Westwood Park, which clicked last season as a class beer garden, is lining up a string of name bands for this coming season.

Expects to open on May 1 with the George Olsen band and will be followed by Vincent Lopez, Buddy Rogers, Eddie Duchin aggregations, all in for from three to five weeks each.

## Most Played on Air

To familiarize the trade with the tunes most on the air around New York, the following is the listing of the songs most played on the cross-country networks last week, in relative standing, according to the approximate number of combined plugs on W.E.A.F., W.I.Z.Z. and W.A.B.C.

- 1. Believe in Miracles
- 2. Believe it, Beloved
- 3. Blue Moon
- 4. Love Just Around Corner
- 5. It's Just a Matter of Time
- 6. You're the Top
- 7. Clouds
- 8. Throwing Stones at Sun
- 9. The Continental
- 10. Because Once Upon Time
- 11. On Good Ship Lollipop
- 12. Haunting Me
- 13. The Night Is Young
- 14. Isle of Capri
- 15. Dancing with My Shadow
- 16. Strange Faces
- 17. Grow Old to Dream
- 18. With Every Breath I Take

## All-Maestro Band at Song Pluggers Show

First benefit show for the Professional Music Men, Inc., recently organized song pluggers' association at the Imperial theatre next Sunday (12), will have every name act around Broadway appearing.

Top feature of the show will be an all-maestro combo conducted by Paul Whitman, with some name orchestra leader performing on his favorite instrument. Thus Freddie Rich at the piano; Abe Lyman at drums; Rubinoff, violin; Whitman himself, doing a violin specialty while masestro Rudy Bros., on trombone and clarinet; Rudy Vallee, sax, etc.

Unlike the indigent songwriters who have the American Society of Songwriters, Authors and Publishers to rely upon, there is no trade association to take care of the song contact men for the music publishers, formerly known as song pluggers, but, since radio and advertising agencies, laboring under the fancy handle of 'contactees'.

Reg Connelly's sailing for New York is delayed by an appendicitis. Music publisher in currently occupying in a nursing home and hopes to embark for America shortly.

Plans to meet his partner, Jimmy Campbell, in N. Y., later having gone west via South America on a combination holiday-business trip with his Mrs. Campbell (Betty Balfour).

## Connelly's App. Op.

London, Feb. 11. Reg Connelly's sailing for New York is delayed by an appendicitis. Music publisher in currently occupying in a nursing home and hopes to embark for America shortly.

## Brazzelle's BRANCH

Charles Brazzelle, operator of Le Bouef Sur La Toit, N. Y., has opened a Paris office through which foreign night club talent will be booked for this side.

He has placed Harry Pilcer as his representative in the French capital.

Vi Bradley out of the Maison Latite, N. Y., and into the Stork Club.

## 'Jazz Is Finished'

Berlin, Feb. 2. Although Jack Hylton's British band filled the huge Philharmonic hall, press was hardly flattering. Nachtaube, ordinarily reasonable, developed a strong attack of purism and 'cracked down' on orchestra.

'Nothing was right. Admitting that there were no empty seats in the hall, the paper continued:

'Since Hylton was here last many things have changed in Germany. For example, one has accustomed his ears to beautiful tones and har-

# Several Publishers Split with MPPA Over No-Plug Info Ruling; Set Up Own Reporting Service

## College Inn Plans

Chicago, Feb. 11. When George Olsen band goes out of the College Inn on Feb. 20 for a vaude tour, the Art Jarrett band is figured to replace. Jarrett outfit is currently at the Blackhawk filling while the Kaye Kyser band picks up some road coin.

Joe Sanders orchestra is another College Inn consideration.

## Troy Musicians' Union In Public Demonstration

Troy, N. Y., Feb. 11. Troy Musicians' Union will show-window its strength in a public demonstration to which 1,000 persons will be invited at no admission. Two hundred members of the union will combine in a program to be given by 14 orchestras, a military band of 35 pieces, a concert orchestra of 30 men and other musical features.

Union takes ad space frequently in the newspapers, advising patrons of hotels and night clubs to look for signs in those places showing that union orchestras are employed.

## Bands Get Judgments Against Warren Miller

Judgments against Warren B. Miller, dance promoter of Evansville, Ind., were filed last week with the New York County clerk by Calloway, Inc. and Duke Ellington, Inc., in connection with dates played last summer. Two bands claim that Miller did not pay the full amounts stipulated in the contracts.

Calloway judgment is for \$1,036 and the amount named by Ellington is \$435.

## Asks Damages

Rochester, Feb. 11. Claiming her career as a dancer was ruined by injuries, Lorraine Kirk, 19, in suing J. Ralph Sweetland and his sister, Mary Sweetland of Batavia, for \$15,000 damages as result of an automobile accident.

Miss Kirk was given a ride in the Sweetland car after a night club argument and the machine collided with a truck. Miss Kirk claims that disfiguring scars on her knees as result of the crash will prevent her from continuing her career. She testified her earnings from dancing ranged from \$15 to \$35.50 a week with transportation and hotel expenses.

## S. A. 'Stew' Travels

San Antonio, Feb. 11. Drunkard company which held on several weeks in Gunter hotel ballroom has transferred to Adolphus in Dallas for a run. Opened Thursday (7).

Company figures on return engagement here with 'Ten Nights in a Barroom' or similar piece. Coates Gwynne, who organized the company on the Coast, is still at the helm.

To counter a resolution passed at a meeting in the Music Publishers' Protective Association offices Friday (8) several publishers here arranged to obtain their daily info on radio plugs from a source other than the Accurate Reporting Service. Publishers at the MPPA meeting voted to abolish the comprehensive report put out by the Accurate, and instead obtain from that outfit a separate listing of plugs as affecting their own catalogs.

Action at the MPPA meeting came as a sequel to the withdrawal earlier in the week by Edwin H. Morris of the Harms, Renick, Witmark, T. B. Harms and Chappell-Harms listing from the comprehensive Accurate reports. Morris, whose operating authority extends directly over the Witmark and Renick catalogs, at the same time arranged with Accurate for a separate report service for each of the five firms in the Warner-Bros. group. Crawford Music Co. later put in a similar requisition.

Reason Morris gave for his move was that he didn't want his pluggers to be influenced by the 'most played on the air' listings carried by the trade press. By trying to compete with these ratings, Morris held the pluggers at two angles, for quantity instead of quality plugs.

Behind the opposition to the general radio log of some of the publishing houses owned or affiliated by pluggers are two angles. One is the dissatisfaction aroused in the Hollywood studios when the producer and his associates see that his tunes, according to the published ratings, are not doing so well on the air. Other twist is the practice among advertising agency production men and others concerned with the putting together of musical programs of picking their tunes from these 'most-played' listings.

At the MPPA meeting it was first suggested that the association take over the plug tabulation service, but this proposal was voted on the ground that the project could not be made an association matter, particularly in light of the government's anti-monopoly action that is pending in the New York Federal Court. By assuming to provide a plug listing service the MPPA would open itself to charges of putting out of business a private organization which for years had been servicing the industry.

The new radio plug reporting service went into operation Saturday (9) with nine publishing firms as clients. This service will list on its daily log the plugs received over the six principal New York air outlets as well as all publishing firms.

## CHEVALIER STAYS VICTOR ANOTHER YR.

Hollywood, Feb. 11. Discovery has been made that Maurice Chevalier, through signing contracts with Brunswick, cannot wax for another year due to an unnoticed clause in his pact with Victor.

French star, as result, will wax both English and French versions of the 'Folies Bergere' songs for Victor.

## \$50,000 Claim Vs. Billy Hill Over 'Last Roundup'

Hollywood, Feb. 11. L. M. Geiger is suing Billy Hill for a share of the \$50,000 royalty accruing from 'The Last Roundup' and four other songs. He claims an agreement for half the profits and collaborative credit.

Hill's publisher, Shapiro-Bernstein, is also named.

## Bernie's Ork to Open Season at Catalina

Los Angeles, Feb. 11. First band of the season at Santa Catalina Island this year will be Ben Bernie's.

Tentative opening set for May 30.



## NIGHT CLUB REVIEWS

### VERSAILLES, N. Y.

The new Versailles on East 50th is a novelty in two respects: on its class motif, and on the fact that it's at least one ex-theatre that has gone out of theatre in the Broadway sense. As the former Little Picture House everything in the theatre construction has been removed and it's become an orthodox cafe, all on one floor and on one level, without the familiar pyramidal of the seats as in the bigger converted cabaret-theatres.

General intimacy of the former cinema makes possible the 200 capacity cafe, with a spacious bar in the outer lounge. Along the lines of the class El Morocco, Nick Frounides, Harmsley, of Nick and John. Impresarios of the Simpson, Beaux Arts, etc.) and Arnold Rosfeld, long Elway Gallant's theatre in the Village, have a swank hotel which should appeal handsomely to the class patronage for which it is designed.

As the name suggests, the decor is Versailles and authentic, showing enlaid murals of the famous suburban Paris palace, lake, forest and grounds. The red and white color scheme is as fetching as the color in nifty decoration, with a very flattering indirect lighting system.

Joseph C. Smith, a veteran of the class hotels and cafes, and long a Victor best seller in the pioneer dancing parlors of the famous, is a dancerable combination. He was formerly at the Morocco, as was the Rodriguez rumba-tango combo. In the social cycle, Eugene Woodruff and James Struthers, from the Social Register, are purveying ballrooming which, if not exceptional, is class anyway. As with most of these Park avenue amateurs, their vague understanding that they will attract paying guests. As ballroomers they're no mean feat.

Billy Rey, whom the Shuberts brought over for 'Music Hath Charms,' is a dancer with a very personality, manner and style. He's a different sort of an m.c. in that he vocalizes but also does quite a bit of juggling with incidental small talk. The gab is in English; he does only one French number. He patterned in the Will Rogers manner but instead of the lariat and the gum it's via juggling balls or small clubs. What he needs most is a scriptlet. The material is too home-made. If the chatter were strong he'd be very effective.

Dolores Keade, Bob Hope in the vaudeville, gives out the vocals. They're all pops. She works into a mike throughout. Nice manner but average routine. Material, too, would enhance value. All class warblers flourish best on smart restricted sound, and then when they give out a strong pop, with a different treatment, it's a sure-fire stopper. A lyric in a song, at dinner, \$1.25 luncheons for the builder-upper; a \$1 convert after 10, but that's one of those things usually only as a means to keep the patronage up to a certain standard. Abel.

### HOTEL ST. REGIS (NEW YORK)

Johnny Green with his very danceable orchestra and the young composer-pianist giving out plenty on the Steinway, is doing above par his at this swank Fifth avenue hotel judging by the new

Sunday night dinner dance sessions, Sabbath hoofing to a \$2.50 dinner, and against the regular \$3.50 and \$4 (Saturday nights) tariff—is in itself a departure for the St. Regis, but it bids fair to duplicate the Paul Whiteman Sunday nights at the Biltmore of a year and two ago.

In fact Green, who has a few very interesting things to his credit, might give out a 'Night Club Suite' or something of his own on such occasions and to good purpose. So far he confines himself to beaucopie d'inspiration which isn't a bad idea considering that they come primarily for the term music.

Marjory Logan is the vocalist with the combo and she warbles the current pops in the contemporaneous manner. Gertrude Niesen is the regular supplementary attraction, succeeding Jane Froman. But it's essentially all Johnny Green and the response is evident. Quite a few guest stars showed up for the first gala. Abel.

### 185 in Chi Radio Club

Chicago, Feb. 11. Additional plans are being drawn up for the new radio performers' club which is being organized here. Name finally chosen for the new group is Associated Radio Artists. Charles Calvert is guiding light in the new association.

List of pledged members has already topped 185 members. Expected on March 15.

Additional member pledges signed last week include Maurice Wetzel, Merri Fugit, Phil Stewart, Donna (Myrtle and Marge) Kretzschmar, Ted Sherdeman, Pat Kennedy, Bess Jacobson, Bess Flynn, Cheryl McKay, Dixie Mason, Darrell Ware, Catherine Avery, Basil Loughrane.

## MUSIC NOTES

Meyer Davis to Florida to open at the Everglades Club, Palm Beach, on Lincoln's Birthday (12), personally conducting his orchestra and doing his own radio announcing.

Don Richards unit alternating with Jack Benny band nightly at the Biltmore, New York. Harry Devine m.c'ing.

Carlos and Marchan, Argentine ballroomists, open at the Biltmore, New York, tonight (Tuesday).

Reilly and Comfort held over at Hector's Club, New Yorker, New York.

Rosaleen and Seville, ballroomists, added to the Weylin, New York, show.

Ray Herbeck orchestra replaced the Bill Fleck combo at Cafe de Fares, L. A.

Eddie Lane has replaced Paul Pendarvis at the William Penn, Pittsburgh.

Bob Causser unit at the BelleVue Biltmore, Bellair, Fla., until May 1.

Frank Montrose, formerly of the Monroe acoustic troupe and now with the restaurant department of the Hotel Cleveland, Cleveland, is the lyricist and composer of 'A Waltz Made For You.'

Ben Oakland left Saturday (9) for Florida.

Completing a vaude tour for Loew's Minor and Root, ballroom dance team, are at the Plaza hotel, New York.

Frank Dalley orchestra at the Hotel McAlpin, N. Y.

A. Hornes wrote the French lyrics of the 'Folles Bergere de Paris' score which Robbins is publishing.

Salva and Gloria ballrooming with the Angelo Ferdinand combo at the Great Northern, N. Y.

## Settling Down

As repeal grows older all the New York caterers have been moved of late to observe how unfashionable cocktailing or drinking, just to drink, is getting to be.

The former aperitif and highball bounds now come in just for the food and the maitres must needs cater to 'em, not knowing when they'll bust out with a bottle of wine. But of late it's getting more and more to be the thing to take it very easy on the drinking business.

## Here and There

(Continued from page 57)

Square on a new radio program for Sellers Service.

Charlie Flagler, slated to begin WFAA in Dallas Feb. 5, delayed in Iowa until Feb. 28, due to minor operation.

Al Goodman's entry in the Palmolive operetta spot on NBC tonight (Tuesday) marks the first time that an agency has allowed a legit pit direction full return over a production: Goodman's, a four-act, tonight's operetta, 'Lady in Ermine.'

Martha Mears hosted group of pros from her alma mater, U of Missouri, while in New York for International Trade Exhibit.

Harry Stockwell, WOR, New York, bartons, opens with the new floor show at the Casino de Paris this Friday (15).

WFRB, Baltimore, has taken out an exclusive contract with Trans-Radio Press Service.

Jack Benny and Don Bestor renewed for another 20 weeks by General Foods for the Jell-O frame on NBC.

Bobby Dolan is being replaced with another dance-combo on the Burns and Allen-White Owl Cigar show.

Harry W. Batteridge, formerly of station WELT, Battle Creek, Michigan, has joined the announcing staff of WMBD, Peoria.

Clair Hull, production man, is new at WMBD, Peoria. Hull appeared in vaudeville with his own orchestra.

Harry Hershfield began a new sponsored show over WMCA on Monday (11) airing under the monicker of One Man's Opinion. Edwin Cigar is the commercial account.

Nat Abramson of WOR artist's Bureau off for two weeks' rest in the West Indies.

Arthur Boran is returning to the networks after his current vaude tour, which has two more weeks to run.

Max Steiner to discuss the Hauptmann trial over WMCA on the evening of the day that the case is given to the jury.

Benny Bengtson, chief of KIZ, Denver, won the best-cushion billiard championship at the Denver Athletic club.

Phil Rapp scoring as radio scriptist for Eddie Cantor.

Charlie Althoff submitted to several Chicago sponsors for a new radio show.

Bob Mackefresh, WNBC (Asheville, N. C., NBC), mike man, has resigned to join American Telephone's regional staff, with current assignment in Spartanburg, S. C.

## Stain Dancer

Baltimore, Feb. 11. Manley Club, swank downtown nite spot, cancelled a gilt dancer out of its floor show after her opening night.

Management claimed the dancer changed colors of her paint for the date, switching from her habitual gold to a combo of black and white, and the black coloring dripped all over the floor during her routine, staining the planks.

## Inside Stuff—Music

Unusual situation revolves around 'It's Easy to Remember,' song in new Bing Crosby pic 'Mississippi' (Far). Rogers and Hart had written two songs for the film when it was originally headed as a Lanny Ross starrer. Duo then came east and studio switched Ross out and Crosby in. Crosby insisted he must have at least three songs so Rogers-Hart were asked by long distance telephone whether they could do a third tune, their contract with Par for the film providing that they do all the songs and no other tunesmith be called in. Rogers-Hart wrote the third song but were afraid of sending it to the Coast for fear the studio might not get a proper interpretation. Afraid to record it on an ordinary phonograph record they went to the Paramount studio in Astoria and had it recorded on film with Jerry Cooper, a CBS crooner whose voice is along similar lines to that of Crosby singing and Dick Rogers playing the piano. The film recording was shipped to the Coast and copied there to the satisfaction of all parties.

Columbia Phonograph Co. may settle the royalty debts outstanding with the music publishers prior to Sept. 1 of last year at 100 cents on the dollar. Audit of the company's accounts by the new owners, Consolidated Film Laboratories, has revealed that the entire back debt only amounts to between \$5,000 and \$6,000, and the present Columbia official setup is considering whether under the circumstances it wouldn't be best to clear the slate by paying off the full amount.

Moe Siegel, the new Columbia head, advised John G. Paine, of the Metro-Goldwyn-Mayer Broadcasting Association, last fall that an effort was being made to save the Columbia label by a reorganization and that the publishers could co-operate in that direction by accepting a 50% settlement on the royalties due them prior to Sept. 1. Paine and Siegel are slated to get together this week to discuss the auditors' findings and work out a solution of the debt.

Wholesale walkout of musicians which threatened the Duke Ellington organization was averted last week when Irving Mills, one of the owners of the combo, agreed to withdraw the notice given the regular bass player, Welden Graud. Later that his two weeks' exit note after he had refused to take a cut from \$100 to \$30 a week. Graud was notified of the proposed stip following the addition of another bass player to the band. Six other regulars in the Ellington band expressed their objection and advised Mills that if Graud went they would go along with him. While Mills was considering the situation, the sextet advised several band bookers that their services would soon be available.

Along with reinstating Graud at his \$100 salary Mills has given the other bass player his notice.

Fred Day of Publications Francis, Day (Paris) and Francis, Day & Hunter (London), music publishers, has gone to the Coast to look over Hollywood and also confer with the Robbins concerning a renewal of the foreign rights to the Robbins' catalog. J. H. Wood, general manager of the French branch of Francis-Day, is also in America, but remaining in New York looking over the Tin Pan Alley situation.

Mrs. Jack Robbins left last week for Hollywood to join her music publisher-husband, who will remain at the Culver City plant of Metro-Goldwyn-Mayer for some months supervising the songs going into M-G musicals. Metro owns 51% of the Robbins Music Corp.

A radio report in VARIETY on Bob Howard over WINS, New York, attracted Jack Kapp to sign him exclusively for two years for his Decca company. Among the same deficiencies as noted in the published critical concerning arrangements, Kapp has solved that by building an orchestra around the singer.

Kapp, president of Decca, is flying to Hollywood today (Tuesday), his first trip since going with the new company. Will make Guy Lombardo's premiere Thursday night at the Coconut Grove. Bing Crosby and Mills Bros., other Decca artists, are also on the Coast. Kapp may sign others.

Film name phonograph recording artists as a general thing must be charged off to prestige publicity. Considering the screen-disc star's standing, plus the guaranty against percentage, average cost of production of a record runs up to \$900. Average yield to the manufacturer is around \$600-\$750 unless an unusual seller, so there's invariably a deficit.

Unit that Phil Saxe has with him at the Music Box, Pittsburgh, nitelife, is composed entirely of local musicians. Saxe was for 15 years with Irving Aaronson. In forming his own band Saxe did not take any of Aaronson's men with him.

## Inside Stuff—Radio

(Continued from page 57)

the former as a buffer and treated both cynically. Sister also took offense at the fact that she hadn't been warned that she was talking for publication.

It's hazardous being a radio boss in Spain. EAJT, local outlet managed by Ricardo Urgotti, broadcast a Paris news item relating rumors that ex-King Alfonso might abdicate his rights to the Spanish throne and become an Italian citizen. Group of young monarchists Saturday (24) sent word to him as he was leaving the station and he gave as good (24) as he got. Several of the monarchists arrested explained they were annoyed by the news broadcast, even though the story was published in the local press.

Scraper Urgotti emerged unscathed.

An idea of the overcrowding of the NBC studios on the RKO lot in Hollywood, which it is hoped to remedy with the building of new headquarters, was seen Wednesday (7) when the network was compelled to engage stage space in two outside locations in order to clear its programs. With seven transcontinentals in the first three days of the week, Chicago had four on Wednesday, switching the emanation between the RKO studio, Recordings, Inc., and RCA Victor. The quartet of programs on the peak day were Mary Pickford, Jimmie Fidler, John Charles Thomas and Guy Lombardo.

Germany's radio and press have no fight. Formerly the latter considerably more than the sheet music business. There is but one news source in Germany. . . the official source. . . news bulletins are read at two-hour intervals during the day until 10 o'clock at night, but most of the stuff had already appeared in early editions of the sheets.

Circulation is way down in Germany, but the radio isn't to blame. Formerly Germans purchased several papers daily to get the views of the various parties then existing.

It's a waste of money now, since they're all pretty much alike.

Standard Oil of Indiana has signed a deal to carry two days of the high school basketball conference in Indiana over seven stations in the state. Set through the Chicago McCann-Erickson agency the sponsor will deliver 16 games on the two days, Feb. 24 and 25 and 17 about nine hours of broadcasting daily.

Stations to be hooked up for the grind are WIND, WFBN, WGL, WGBF, WLBC, WSBT, WBOW.

The ultimate in songs, that's  
**XAVIER CUGAT**  
continuing to thrill at New York's  
"Music" and "Radio" and via  
the ABC network.  
Hear him play:  
"When I Grow Too Old to Dream"  
"Climax"  
"The Night Is Young"  
Announcing two new songs from  
the "ABC" network production,  
"Folies Bergere De Paris"  
"I Was Lucky"  
"Gladly & Happily Song"

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**JAY SEILER**  
Dancing Pianist, Just Concluded  
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**PALMER HOUSE**  
Chicago, Now  
Personnel Director  
**HARRY BESTRY**

**ROBERT ROOT**  
PERSIAN ROOM, PLAZA HOTEL, NEW YORK

# SHEET MUSIC IS 'WAY OFF AGAIN

New York, Feb. 11.

Sheet music trade wound up January with the worst showing in many months. Usually the best time of the year, January on this inventory hit the doldrums with the second week and stayed there. First week of February gave no evidence of an immediate pickup. Opinions as to the cause of the slump were varied. Some attributed it to sustained sub-zero weather that spanned most of the country; others figured that there weren't enough strong hits to stimulate calls at the music counters, while a third element credited the poor turnover to the fact that retailers took inventory later this year than usually. "June in January" (Famous) swept to the top early in January and found no difficulty in staying there throughout the month. Fox's 'Good Ship Lollipop' also did a neat job of skyrocketing, with the first week of February finding this tune in second place. Other strong comers in January were 'Blue Moon' (Robbins), 'Isle of Capri' (T. B. Harms), 'I'm Dark on Observatory Hill' (Berlin).

Among the runners-up to January's sheet blue rib'on sextet were 'Alabama' and 'Hands', 'Flirtation Walk' (Winters), 'I'm Still a Heart' (Broadway) and 'Continental' (Harms).

Mechanical field fared slightly better in January than did the sheet music business. Both Paul Whiteman and Bing Crosby held the first two slots on their respective Victor and Decca lists, Ethel Merman with Johnny Green on the accompaniment counted for the Brunswick set, while Little Jack Little drew ace position on the Brunswick set-up.

## Zero Dumps Chi Biz

Chicago, Feb. 11.  
Business slumped off generally in this territory during January and blamed by consensus of opinion on the sub-zero weather that froze the midwest early in January. Business for the first two weeks of the month tobogganed downwards at an alarming pace, on Jan. 15 being almost 25% below the December mark for the same period. But the last two weeks showed a sharp pick-up with the result that the month finished only about 10% behind December.

January music list shows a list in no process of being new, but it takes its last look at the top rung and will give place next month to 'Good Ship Lollipop', 'Isle of Capri' or 'Blue Moon', the latter two showing remarkable length of life to the finish of the month. Also strong are 'Hands', 'Rain' and 'Mr. and Mrs. the Name'.

## Coast Biz on Upbeat

Los Angeles, Feb. 11.  
First month of the new year saw music biz enjoying its most healthy trade in several years. January sales were topers in all branches, with several new hits on the market that jobbers and retailers anticipate will bolster biz for next few months at least.

Sheet music field witnessed the sensational turn midway in the month of the T. B. Harms Co. outstanding hit, 'Isle of Capri', giving 'June in January' a close race for top honors, and going at gait that should firmly establish it in top spot for February. 'Good Ship Lollipop' from the Sam Fox catalog, also sprang into popularity late in the month, and should be another February smash. Coming along rapidly is 'Blue Moon'.

Dice field continued to have 'Object of Affection' lead the Brunswick output, and the recording running second on the Decca list. Crosby's 'June in January' easily topped the popular-priced records. A Ray Noble recording of 'Isle of Capri' rapidly forged to the front in sales during January.

## Grier Stays at Biltmore

Los Angeles, Feb. 11.  
Jimmie Grier and his band will remain at the Biltmore Bowl until November. Combo has been at downtown spot nearly a year.

# JANUARY MUSIC SURVEY

THIS TABLE SHOWS THE LEADING SIX SELLERS IN SHEET MUSIC AND PHONOGRAPH RECORDS GATHERED FROM THE REPORTS OF SALES MADE DURING JANUARY BY THE LEADING MUSIC JOBBERS AND DISC DISTRIBUTORS IN THE TERRITORIES

## 6 Best Sellers in Sheet Music Reported by Leading Jobbers

NEW YORK		CHICAGO		LOS ANGELES	
Song—No. 1	'June in January'	'June in January'	'June in January'	'June in January'	'June in January'
Song—No. 2	'Winter Wonderland'	'On Good Ship Lollipop'	'Isle of Capri'	'Isle of Capri'	'Isle of Capri'
Song—No. 3	'Object of My Affection'	'Object of My Affection'	'Object of My Affection'	'Object of My Affection'	'Object of My Affection'
Song—No. 4	'Stay Sweet as You Are'	'Stay Sweet as You Are'	'On Good Ship Lollipop'	'On Good Ship Lollipop'	'On Good Ship Lollipop'
Song—No. 5	'On Good Ship Lollipop'	'Isle of Capri'	'Stay Sweet as You Are'	'Stay Sweet as You Are'	'Stay Sweet as You Are'
Song—No. 6	'Dancing With My Shadow'	'Blue Moon'	'Flirtation Walk'	'Flirtation Walk'	'Flirtation Walk'

## 3 Leading Phonograph Companies Report 6 Best Sellers

Side responsible for the major sales only are reported. Where it is impossible to determine the side responsible for the sales, both sides are mentioned:

BRUNSWICK—No. 1	'You're the Top,' 'I Get Kick Out of You' (Ethel Merman-J. Green Orch.)	'Object of My Affection' (Boswell Sis.)	'Object of Affection' (Jimmy Grier Orch.)
BRUNSWICK—No. 2	'Object of Affection,' 'Written All Over Your Face' (Bos. Sis.-J. Grier Or.)	'Dardanella' (Red Nichols Orch.)	'Me Without You' (Joe Morrison)
BRUNSWICK—No. 3	'I Wake Up Too Soon,' 'In Blue and Pensive Mood' (Hal Kemp Orch.)	'Square Dance' (Hal Kemp Orch.)	'Object of My Affection' (Boswell Sis.)
BRUNSWICK—No. 4	'Were You Foolin',' 'Blue Moon' (Ted Flo-Rito Orch.)	'When I Grow Too Old to Dream' (Freddy Martin Orch.)	'Lovely Feet' (Anson Weeks Orch.)
BRUNSWICK—No. 5	'Will Love Find Way,' 'East of Sun' (Hal Kemp Orch.)	'June in January' (Ted Flo-Rito Orch.)	'Every Breath I Take' (Connie Boswell)
BRUNSWICK—No. 6	'On Good Ship Lollipop,' 'Ting-a-Ling-a-ling' (Ted Flo-Rito Orch.)	'Hands' (Hal Kemp Orch.)	'Breaking the Ice' (Louie Prima Orch.)
COLUMBIA—No. 1	'June in January,' 'Every Breath I Take' (Little Jack Little Orch.)	'Little Boy Blue' (Little Jack Little Orch.)	'Hundred Percent for You' (Benny Goodman Orch.)
COLUMBIA—No. 2	'All Thru the Night,' 'You're the Top' (Harry Rosenthal Orch.)	'Hundred Percent for You' (Benny Goodman Orch.)	'Winter Wonderland' (Ted Weems Orch.)
COLUMBIA—No. 3	'June in January,' 'Every Breath I Take' (Harry Richmond)	'When I Grow Too Old to Dream' (Henry King Orch.)	'June in January' (Little Jack Little Orch.)
COLUMBIA—No. 4	'Keep Rhythm Going,' 'In My Solitude' (Mills Blue Rhythm Band)	'Tiny Little Fingerprints' (Johnny Green Orch.)	'Talking to Myself' (Ted Weems Orch.)
COLUMBIA—No. 5	'I Works Up Too Soon,' 'Dancing With My Shadow' (Henry King Orch.)	'Blue Moon' (Benny Goodman Orch.)	'Stay Sweet as You Are' (Little Jack Little Orch.)
COLUMBIA—No. 6	'Hands,' 'Is it Singer or the Song' (Lucienne Boyer)	'I Surrender Dear' (Red Narvo Orch.)	'La Cucaracha' (Lud Gluskin Orch.)
DECCA—No. 1	'June in January,' 'Love Just Around Corner' (Bing Crosby)	'Blue Moon' (Casa Loma Orch.)	'June in January' (Bing Crosby)
DECCA—No. 2	'Every Breath I Take,' 'Maybe I'm Wrong' (Bing Crosby)	'June in January' (Bing Crosby)	'Object of My Affection' (Casa Loma Orch.)
DECCA—No. 3	'June in January,' 'Every Breath I Take' (Guy Lombardo Orch.)	'Every Breath I Take' (Bing Crosby)	'Maybe I'm Wrong' (Bing Crosby)
DECCA—No. 4	'Object of My Affection,' 'Two in a Dream' (Casa Loma Orch.)	'Object of My Affection' (Casa Loma Orch.)	'Winter Wonderland' (Guy Lombardo Orch.)
DECCA—No. 5	'Blue Moon,' 'Where's Smoke, There's Fire' (Casa Loma Orch.)	'Winter Wonderland' (Guy Lombardo Orch.)	'Honeysuckle Rose' (Dorsey Bros. Orch.)
DECCA—No. 6	'You're the Top,' 'Get Kick Out of You' (Dorsey Bros. Orch.)	'June in January' (Guy Lombardo)	'Home, James, Don't Spare Horses' (Fred Hillie Brand Orch.)
VICTOR—No. 1	'You're the Top,' 'I Get Kick Out of You' (Paul Whiteman Orch.)	'June in January' (Dick Himber Orch.)	'Blue Danube' (Ray Noble Orch.)
VICTOR—No. 2	'All Thru the Night,' 'Anything Goes' (Paul Whiteman Orch.)	'On Good Ship Lollipop' (Rudy Vallee Orch.)	'Isle of Capri' (Ray Noble Orch.)
VICTOR—No. 3	'Object of My Affection,' 'Blame it on My Youth' (Jan Garber Orch.)	'You're the Top' (Paul Whiteman Orch.)	'You're the Top' (Cole Porter)
VICTOR—No. 4	'You're the Top,' 'Thank You Mrs. Lowenbrough' (Cole Porter)	'Object of My Affection' (Jan Garber Orch.)	'Anything Goes' (Paul Whiteman Orch.)
VICTOR—No. 5	'Believe It, Beloved,' 'If It Isn't Love' (Fats Waller Orch.)	'Believe It, Beloved' (Fats Waller Orch.)	'African Ripples' (Fats Waller Orch.)
VICTOR—No. 6	'Every Breath I Take,' 'June in January' (Dick Himber Orch.)	'Anything Goes' (Paul Whiteman Orch.)	'Breaking the Ice' (Fats Waller Orch.)

## LOEW SUBSID ATTACHES ACTOR'S LOEW SALARY

Loew organization was placed in the position of taping up its own funds for benefit of one subsidiary Loew corporation as against another Loew company.

It concerned Herman Timberg playing at Loew's Century, Baltimore, last week. He was attached for \$770 by Robbins Music Corp., which is 51% owned by Loew-Metro.

Robbins' claim against the actor-songwriter is on a previous judgment for over \$600 (now totaling \$770 with interest, costs, etc.), as result of a song which Robbins published and which became involved in litigation. Under contract it developed upon the original songwriter to defray the legal costs of an infringement suit inspired by his composition.

## Louis Bernstein Quits As MPPA President

Louis Bernstein has relieved himself of the offices he held in the Music Publishers' Protective Association. His retirement leaves vacant the presidency and a membership on the MPPA board of directors.

Bernstein continues as v.p. and a director of the American Society of Composers, Authors & Publishers.

# MONSTER (ALL STAR) BENEFIT

SUNDAY, FEBRUARY 17

MAJESTIC THEATRE, NEW YORK

ALL PROCEEDS TO

# Professional Music Men, Inc.

The Newly Organized Relief Association for the Contact Men  
of Music Publishers

TICKETS ON SALE AT ANY MUSIC PUBLISHERS

\$4-\$3-\$2-\$1

## Street Parade, Free Shows, Travel In Trucks for O&J Musical Tour

Minneapolis, Feb. 11.

Using entertainment ballyhoos for exploitation, Olsen & Johnson, together with Gene Austin, have something new to sell in the coming months in the shape of "circusized musical comedy." Austin will join the Olsen-Johnson "Cavalcade of Fun" which, after two more weeks of vaudeville, will be expanded into a two-and-a-half hour show for a three-month tour of one-night stands in the South.

Experimental features consist of the plan of operation and the methods to be used to sell the show-leaders. For the first time a full-fledged musical comedy with important name stars will tour in buses and trucks, use entertainment for advance exploitation, scale its prices at \$1.10 top at night and 55c. matinee, and will offer dancing for patrons after the regular performance.

Last named feature will be an effort to adapt the present popular big time theatre cafe idea to the one-nighters.

Through tie-ups with Auburn Motors, General Motors and Shell gasoline, show will be provided gratis with motor vehicles and, in return, the companies' products will be advertised and ballyhoosed. This is a revision of the "free show" idea, but without the objectionable elements.

As far as possible show will be spotted into large municipal auditoriums, armories and schools and lodge halls. Many towns that have not seen a touring flesh-and-blood show in years will be played. Charlie Strong and his "Admirals" orchestra will be featured, as at present, and will play for dancing after the regular performance.

Show will be preceded in each town by a girls' singing trio who will ballyhoo it over the radio and through other tieups. Next day will bring into the town another ballyhoo feature, an automobile driven by a blindfolded driver. Then the show will announce itself on the day of the performance with a free street parade. Entertainment itself will include juggling, magic, novelty acts, etc., as well as musical comedy. Present company of 25 likely will be augmented by the addition of six line girls.

Two men will be in advance. One already is in the south arranging bookings. Len Brown of the Blank circuit has been engaged as advance publicity agent.

### H. & A.'s 'Scandals'

John Hickey and Harry Anger are staging another unit, "Parle-en-Scandals" with an original score and lyrics by Clarence Kill, Lester Cole and Joe Lombardi. Opening date is Ritz, Elizabeth, N. Y., Feb. 16.

"Scandals" includes Herman Twine and Sally Burill, Wheeler Wynde Ray Rich and Willis Ayers and Renes, a male quartet and a 12-girl line.

### Making It Official

Pittsburgh, Feb. 11. The courts here last week were asked to make final the split-up of a vaude unit in 1918. Norma Dinabier told the bench that she and her husband, Carl, did an act together for 10 years after their marriage in 1918, but that he deserted her seven years ago in Boston.

Dinabier is not contesting the divorce.

### MISS CALLOWAY UNIT

Chicago, Feb. 11. Harriet Calloway now playing a unit in the Midwest under the direction of Joe Glazer and Leo Salkey.

Besides the Calloway band, show includes George Dewey Washington and Margot Cook and Brown, Danny and Eddie, Four Pennies and Shorty Burch.

### Vode Back in Albany

Albany, Feb. 11. RKO stage shows boys out of Albany a week ago, but now the Capitol theatre, closed since burlesque folded January 5, is open with vaudeville. House reopened Friday (6).

V. W. Farley, owner of the Capitol, is operating.

## 15 YEARS AGO

(From VARIETY and Clipper)

Harry Mountford was scrapping with Chorus Equity as to whether the White Rats or C. E. had jurisdiction over the burlesque girls. Mountford lost.

St. Louis radio planning to open with acts out of the N. Y. Orpheum circuit. Two shows nightly, but mats only Sat. and Sun.

New-York snowed-in and police ordered all traffic off the streets to give the snow haulers a chance. Tough on moving acts and shows. One act had to pay \$22 to get from the Penn station to the Colonial.

VARIETY gave desk room to a Fed. agent to help the actors with their income tax returns. Second year of the idea.

Hebrew Actors' Union wished a new contract on employers. One clause stipulated a 35 weeks' season. Doubtful pay for actors on the road plus \$7 per diem for expenses.

Talk was rife of a deal to be made by Famous Players with the Shuberts. Famous would finance Shubert shows, taking 50% of the profits, if any. Shuberts to get a 25% cut on the subsequent picture profits.

Theda Bara was being featured in "Kathleen Mavourneen." Rioting in spots on the claim the picture traduced the Irish.

Allied Amusements Assn. formed in Chl. All branches under one head to combat adverse legislation and other abuses.

Police shut dancing in hotels and cafes in "Frisco." Men complained their wives and daughters wasted their time and met improper male companions.

Canadian dollar was at 82c and road managers booked into the territory had headaches.

Peggy Hopkins hitched to J. Stanley Joyce. Her third enlistment.

Boston censor ordered that jazz musicians—especially trombonists—should not dance while playing. Not clear why trombonists were especially mentioned.

Announced that Loew's State, N. Y., town on which had just been started, would be operated on an all-picture policy. It opened vaudeville; still that way.

## 50 YEARS AGO

(From Clipper)

Showman was exhibiting his steam bicycle. Old Star wheel with the small wheel in front and a small steam engine on the front post. He kept the pedals in case of emergency.

Mapleson op. co. with Fatti and Nevada, in straits in New Orleans. Could not meet salaries. Too high prices for the crowds at the Exposition. All other shows were riding high.

Reported that after the Madison Sq. Garden season the Barnum & Bailey show would be split into three units and tour separately. A canon.

John Philip Sousa had written the music to "Tally Ho." Did a number of operas but he didn't brag about 'em.

Mrs. Lou Thropy and her daughters, Clara and Florence, complained that their trunks were held by the railroad for fares. Had gone out with "Seven Ravens" and the three of them netted only \$10 for several weeks' work.

Announced Atlantic City would repeat its theatrical program the coming summer. It was the theatres which helped to take the trade away from Cape May.

Willis Ethardo, with the Silbenth-Elliott troupe of gymnasts, arrested

## 400, at \$10 Per, Attend Col. Variety Club Banquet

Columbus, Feb. 11.

Ken Murray, with Helen and Milton Charlow, and Fila Dorsey were headliners for the Columbus Variety (Tent No. 2) Club's fourth annual banquet, held Feb. 3 at the Dresher Wallick hotel. Over 400 members and guests were present at \$10 per plate.

Other acts were Johnny Woods, Ned Norworth, Ralph Dunn, Clyde Hager, "Rhapsody in Black Revue," Ben Pollack's orchestra and Ripley's Believe-It-or-Not group of freaks.

Among the guests were lieutenant governors from three states, two mayors, John H. Harris, national Variety Club president, and Luke Barnett, professional ribber.

## AFA WANTS CODE CODE CHANGES

American Federation of Actors is agitating for a revision, per its own plans, of the amended vaudeville section of the Motion Picture Code.

Which was okayed last week by Deputy Minister William P. Fox, submitted by the deletion of the clause making exhibitors responsible for actors' salaries. AFA plans was filed with S. Clay Wilson, chairman of the National Industry Recovery Board in Washington.

AFA asks that the code include a maximum amount of working hours and shows, and that the minimum daily salary be upped to \$10 per act in theatres charging 50c and more top admission; in houses below 50c top, the daily minimum. AFA says, should remain at \$7.50. Among other minor things, plan submitted by Ralph Whitehead, executive secretary of the AFA, that any daily salary less than \$10 should be met, with all transportation paid besides; asks the deletion of managers requesting acts to play gratis benefits, and that in towns where Sunday shows are prohibited the six days should constitute a week's work and the actor shall not be required to play elsewhere the seventh day.

While in Washington, Whitehead also lobbied for the inclusion of performers in the old-age insurance bill now up before Congress. According to Whitehead, Senator Robert H. Wagner promised to amend the bill to include the migratory group (actors).

## N. C. Getting Big Play From Units, Minstrels

Charlotte, N. C., Feb. 11.

The Carolinas are getting their customary cold weather portion of picture house stage shows. Spiced in with the units, is John Van Arnan and his Honey Boy Minstrels, the only old-time minstrel show on the road. Bookings are practically all in picture houses.

Units playing this state now include "School Days on Parade," Charlie Mack's "Tie Toe Revue," with Hop, Fanny and the Congre, a period Hawaiian, "Hollywood Follies" and "Funland Flashes," all units.

In Detroit as a runaway apprentice. Had been bound out to Ethard in England, but induced by one Broadfoot to run away to America, where Broadfoot farmed him out to the Silbenth. He declined to work further for Broadfoot and the court upheld him. Apprentice system still prevalent then.

New skating rink in Wheeling had a fountain which ran perched water. Opening day crowd was so great it was completely destroyed. Knocked over and trampled.

Edwin Booth, playing his N. Y. season, added "The Apostate" to his list. Clipper reported it was "baptizedly" endured.

Society for the Reformation of Juvenile Delinquents after the concert hall. Insisted that a theatre license be taken out if a stage show was given. Would have closed most of them.

## Inside Stuff-Vaude

Long run of "David Copperfield" at Loew's Capitol on Broadway has caused the shifting around of a couple of stage attractions, "Casino de Paree" unit and Cab Calloway's ork. "Paree" show was to have gone into the house this current week, but instead was shifted to the Metropolitan, Brooklyn, and now is scheduled to go into the Cap the week of Feb. 22.

Calloway's ork was due to go into the Capitol next week, but instead opens Feb. 15. In the event "Copperfield" stays for the Feb. 15 week, "Paree" show will be again set back, with Calloway probably given a substitute act else where.

"Paree" unit is also asked for Loew's State in the near future for its third Loew week in New York.

The "Follies de Paree" and the "Casino de Paree" units, respectively in St. Paul and Pittsburgh recently, are samples of the free-for-all hybridizing of unit billings and titles, with nobody seeming to care. Usually some famous revue title has "Broadway" prefixed for a switch. Another title tendency of late is to take the hit song from a currently releasing musical and label that as a unit moniker. "Happiness Ahead" just-opening in Leicester, Pa.—is an instance—curiously enough that unit whose title was removed from a Warner Bros. musical is playing in a Lancaster WB theatre, with nobody bothering either way.

Eddie Cantor's friendship and regard for Izzy Rappaport, the indie Hippodrome, Baltimore, operator, explains why the Cantor-Rubinfeld unit in West is playing in Balto, according to the comedian who is set otherwise with the Loew circuit.

Cantor even has offered to play at the Hipp for Rappaport on a cost-plus basis, this regard dating back some time.

Among participants in the special RKO show at the Memorial, Boston, last week, celebrating the 52d anniversary of the opening of B. F. Keith's there, was Ed West, only surviving member of the first Boston bill. He was on the initial Keith show as a member of the team of Fox and West. West, now 67, is in retirement except for occasional picture work. RKO located him in New York and prevailed upon him to go to Boston for the anniversary celebration.

## NEW ACTS

Lucille PAGE and Buster WEST  
Comedy, Dancing  
15 Mins.; One (Special)  
Loew's State, N. Y.

They're now man and wife, but, outside of the inclusion of Lucille Page's fine acrobatic dancing, it's the same act Buster West had formerly did with his dad and mother. Miss Page gives added spark to what was always a good act.

West's eccentric hoofery plus those prat's falls were enough by themselves, but with Miss Page's now double in apes, another man straightens for West, also in gobs, while Miss Page plays the siren and then goes into a contortion routine with Harlem touch that's both original and good. Later they duo hoof. She's dressed well in bare fashion, and act carries its own nautilus drop.

Spotted next-to-closing in a five-acter here and very well received. *Solo*

DON COSTELLO and THEIS' MID-GETS (5)  
Talk, Singing, Dancing  
14 Mins.; One (Special)  
Loew's Orpheum, N. Y.

This act has some entertainment possibilities but the material is bad. It's novel, is probably because has not been around much. Despite this, it's a neat mid-get presentation. Three girls and two men constitute the midgets while Costello is master of ceremonies.

Costumes worn by midgets are true and honest. Clean-cut and appearance of the quintet being outstanding. Opening is with Costello at grand piano, one finger draped atop it and four others in line for "A Thousand Times No" songbook. Then some ballroom stepping by two males and shorter of girls goes over well.

Highlight of piece is duo singing and dancing number by Don Costello and pretty blonde of midget troupe. She looks more like a doll than a dancer. This scores heavily. Continentals closes the act. But attempt of Costello to do a solo tap plus his mingling in close with a solo and a solo in a congruous act probably would do better if all midget with Costello only as master of ceremonies and at mike for a solo.

Act went well when caught at this theatre largely on account of its novelty and attractive dressing in closing spot and following his act of bill, audience response was all the more surprised. Got their encores and was sensible enough not to try to force more.

FOUR DOBAS  
Acrobatics  
6 Mins.; Full  
Loew's Orpheum, N. Y.

This standard opener is o.k. Not too many of the tricks have not been done before but because it's well routinized, with a moment of hesitancy. Three women and a man, in maritime costumes, make up the quartet. Heaviest woman is the underdog, role, balancing a ladder and performing gymnastic feats of another fairly husky girl and the athletic male. One of the tumbling and heighens scenic effect. Drew more of a hand than many dumb acts of this type garner.

JOE RIO AND FRANCES  
WILLS (5)  
Dance Flash  
11 Mins.; Full (Special)  
Orpheum, N. Y.

"Dancers heading this flash are Joe Rio, formerly of Rio, Elliott and Lee Twines, and Frances Wills of Sellar (Jay) and Wills, for many years a standard act. Teamed up, Rio and Wills combination has for support three young lads who are billed as The Ambassadors. The five-people flash, all dancing but for a brief non-intrusive, is done in good taste, has strong dancing appeal and is well routinized, besides being overboard on running time.

Miss Wills does two acrobatic singles, one along novelty lines, the other a wait acrobatic that's somewhat different in execution from general run. Rio's only single is the rubber-legged and shoe novelty, a clever exhibition of hoofery. The three boys are in the middle, doing a tap routine and on-the-close when Rio and Wills are doing the Continental, they surround the pair for background.

Closed show here and received well. *Char.*

BARRY MCKINLEY  
Singer  
7 Mins.; One  
Fox, Brooklyn

Manager came up through WLW, where he worked under another name. New romantic monicker now used, picked just prior to coming east to do a commercial. He is of the popular school of crooners, being somewhat sophomoric in appearance but with a soft husk in his voice. He has worked in vaudeville before, so the footlights are not altogether new for him. In his act, sang over the microphone to be sure, his selections being "Object of My Affection" and Ellington's swell lament, "Solitude." He could have delivered a third number for the audience.

## Fanner Lecturing

Sally Rand will double into the Fox, Brooklyn, starting Friday (15). From the Paradise restaurant, Broadway. Her manager, Dave Lipton, returned last week from San Diego, where he tentatively arranged for the fan dancer to participate in that city's pending expo.

Sales Executive's Club luncheon, at the Roosevelt hotel (Monday) heard Sally Rand in person on "The Spirit Behind the Fan".

## B. & K. Pickering Gals

Chicago, Feb. 11. Trudy Pickering is now handling the line of girls at the B. & K. Oriental.

Miss Pickering was formerly with Fanchon & Marco.

## LEONARDI OUT

Philadelphia, Feb. 11. Leon Leonard, of the Roxy-Mastbaum conducting—arranging staff, left the staff Thursday (7). Leonard has been replaced by Harry Rubin, brought in from New York the following day.



# NEW YORK LICENSING THEATRE

## CANADA SOURS ON DIONNES' SHOW BIZ

Toronto, Feb. 11.

Turning the American stage appearances of Mr. and Mrs. Dionne revolting, disgusting and cheap, Prime Minister Heburn stated yesterday that the government will immediately enact legislation especially designed to prevent the commercial exploitation of the Dionne quintuplets.

Vehemently opposed over the tour of Olivia and Elmer Dionne, the Prime Minister stated that the pair have no value save as the parents of quintuplets. "We are not going to permit the children to fall into the hands of self-seeking promoters," said the Minister. "The whole business is a disgrace. The legislature will exercise its power to protect the babies themselves from chisellers and promoters."

It is understood that the Dionnes, while in Toronto en route to Chicago, told newspaper reporters here that the trip was simply for the purposes of sight-seeing and that no stage appearances were contemplated.

Dr. Dafeo, in town to aid the campaign of the Canadian Crippled Children's Foundation, refused to endorse the \$1,000,000 suit for breach of contract, filed by Ivan Speer, head of the Century of Progress Tour Bureau, which included Atty. Gen. Rosebuck as one of the co-defendants. The latter refused to make any comment, but seemed unperturbed. He has not been served in the case.

The suit arises out of a contract recently signed by Olivia Dionne on May 26 last, only three days after the birth of the quintuplets. The paper gave Speer the right to exhibit the children at the Century of Progress, and the right to handle all publicity and pictures.

It is held here that this contract was voided when the Dominion Government assumed the guardianship of the quintuplets, both parents signing the document which gave the youngsters into the trusteeship of a committee of five government appointees, one of whom was the president of the Canadian Red Cross. Since that action the babies have had their own hospital erected, medical attention provided and a trust fund of \$100,000 assembled.

Legal opinion in Canada is that, should the U. S. courts find for Speer, the judgment cannot be enforced in Canada, since the contract was signed in Canada, which becomes the proper place of venue. As the suit is partially against the government, a Canadian suit is improbable, since no individual may sue the Canadian government without the latter's permission, and this precedent is rarely given.

### Radio Bids Beauvau

Chicago, Feb. 11.

Advertisers are falling all over themselves with offers for the appearance of the Dionne parents, ma and pa, of the famous quintuplets, on their other programs.

Three sponsors now in the lead for the Dionnes are Fleischmann Yeast, United Remedies and Alka-Seltzer. Fleischmann is understood to be holding a spot open on the broadcast of March 7 in expectation of landing the parents.

### Arnheim Band Unit

Chicago, Feb. 11.

Following his current stay at the Chez Paree here it's likely that Gus Arnheim and band will go vaude at the helm of a unit based on Hollywood.

Arranging for a couple of coast screeners for 'femme appeal.' Negotiations are on for Joan Marsh, Billy Wing, Betty Grable, Lois January, Dorothy Lee. Title of the unit likely to be 'Cocoanut Grove Parade.'

## TWO ACTS ABROAD

Mann, Robinson and Martin and Ralph Olsen Set in London.

Two vaude acts sailed Saturday (9) for London and the Continent on six to nine weeks' bookings. Both routed via the William Morris agency.

Mann, Robinson and Martin open Feb. 15 in Manchester, then to Monte Carlo and the San Remo (Italian Riviera) municipal casinos, following some British variety dates. They have nine weeks in all. Ralph Olsen with Alma Louise, new partner, opens at the Savoy hotel, London, Feb. 13 for a fortnight, then the Palladium, following into Monte Carlo. Six weeks guaranteed in all. As usual the Foster agency corresponds for the Morris office may set further time after the acts open abroad.

## Settlement Promise Makes Rose Relax 'Paree' Unit Grab

Precursor of a possible settlement of Billy Rose's difficulties with the Casino de Paree and the Manhattan Music Hall (N. Y.) managements is the attachment which Rose got in Pittsburgh against the Casino de Paree, Inc., last week, but lifting it a couple of days' later on promise that his claims for back salary and future contract-earnings would be adjusted. Otherwise Rose stated he would attach the C. de P. vaudeville unit in every town that it plays. It's currently at Loew's Metropolitan, Brooklyn.

Last week at Loew's Penn. Pittsburgh, Sachs & Kaplan, Pitt attorneys representing Julian T. Abeles, N. Y. attorney for Rose, tied up some \$5,000 in salary due the 'Casino de Paree Revue.' This unit is headed by Milton Beale.

Actually the show is the former Manhattan Music Hall show, now traveling under the Casino de Paree label, but Rose, claiming exclusive use to anything pertaining to the Paree, sued and got an attachment.

## Can-Dullo Quits Niterly For Cleve. Indie Vaude

Cleveland, Feb. 11.

Joe Can-Dullo, ok leader, has quit Mayfair Club to start an indie vaude project in reopened Circle theatre, which has been dark for nearly a year.

Policy of stage revues and first-run pix is being backed by Max Aronstein, real estate man and owner of building. Can-Dullo is acting as m.c. and leader of stage ok. Mike Speciale booking the other acts.

### Loew's Montreal Out

Loew's, Montreal, drops vaude temporarily after this week. House is going all-film while the straight-up Loew house in that city, the Capitol, is being remodeled.

Lawrence Gold books the spot out of the William Morris office in N. Y.

### Peabody's Quick Return

Eddie Peabody is making a quick return to the Fox, Detroit, March 29 for four weeks, booked via Ferdie Simon. Comedian-banjoist played the house about three weeks ago. Booked until June 10. Peabody returned to his Riverside (Calif.) ranch for the summer, per custom at that time.

## ALBANY BILL IS FULL OF JOKERS

Sen. Cuvillier's Proposed Resolution Regarded as Affecting Booking Offices—Would Ban Affiliated Bookers—No Commish Splitting—Agents Meeting to Discuss Fight

### POLITICS

A new act to amend the labor law applying to employment agencies, studied with contradictory jokers on booking offices, both vaudeville and radio, and agents, has been introduced in the New York State Assembly by Senator Cuvillier (Dem.). If passed in its present form the bill portends an upheaval of the present system of buying and selling talent both for the stage and the air.

When first introduced the bill was passed up as not affecting the theatrical business by showmen who did not read past a subsidiary clause new act which includes booking offices and personal representatives, agents or managers of acts. Immediately following, however, comes the bill's first joker in a definition of what constitutes an employment agency as this bill applies to it, and includes 'theatrical employment agency.' A definition of the latter is also included, reading:

'Theatrical Employment Agency' means and includes the business of conducting an agency, bureau or office or any other place for the purpose of procuring or offering, promising, or attempting to provide engagement for theatrical or other entertainment or exhibitions or performances, or of giving information as to where such engagements may be procured or provided; but such term does not include the business of managing such entertainments, exhibitions or performances, or the artists or attractions constituting same where such business only incidentally involves the seeking of employment.

Of most importance to booking offices and artists' bureaus is the clause stipulating that no employment agency shall conduct or have any financial or proprietary interest in any place of employment to which such act (act) is sent, which affects the RKO, Loew, Warner and Paramount booking offices, and the NBC and CBS Artists Bureaus.

### Hits Radio

Also hitting radio is the ban on the employment of minors, stating: 'No licensee shall accept any application for employment made by or on behalf of any child or shall place or assist in placing any such child in any employment whatever.' Law already in effect bans minors from singing or dancing, or both, in theatres in New York, but does not apply to radio.

Bill calls for the filing by each licensed employment agency of a schedule of commissions intended to be charged the persons it engages, or causes to be engaged, and the conspicuous posting of same in the offices of the employment agency. It also states that no employment agency can accept any money, gift or gratuity in addition to, or in lieu of the fee set forth in its self-fixed schedule.

Another system the new act bans is the splitting of commissions, a common practice in vaudeville among agents who are franchised by one office and not by another; makes this practice a misdemeanor.

A state industrial commissioner is under the bill, to investigate the character, experience and responsibility of all applicants for licenses. Bill asks for a license fee of \$100 in (100,000) dollars, and the posting of a \$2,000 cash bond by each employment agency.

Senator Henry Walters and Leo

## Lewis to Bolster 'Lancer's' 6th Week

Ted Lewis will be the stage bolster for 'Bengal Lancer' when it plays Loew's State, New York, the week of Feb. 15.

Loew's officials figured to pull 'Lancer' out of the State because of its previous five weeks on Broadway, three at the Paramount and two (current) at the Rialto, but then decided that the film should be good for a sixth week on Main street with stage backing.

## Syr. Mayor Asks Circuits for Vode To Amuse Bowlers

Syracuse, Feb. 11.

With a new record entry of 2,825 five-man teams in the 35th annual tournament of the American Bowling Congress, scheduled to open here on March 1 and continue until April 8, Mayor Holland B. Marvin, turning to the problem of amusing the bowlers, is asking both Loew and RKO to resume vaude for the duration of the bowling festival.

Formal requests were served last week upon William J. Tubert, RKO city manager, and Edward McBride, Loew's State manager, but thus far there has been no indication that either circuit will comply.

RKO recently dropped a vaudeville policy at the Paramount, claiming that it failed to draw; this was answered locally with the claim that the vaude-theatres were inferior. Loew's State, while finding competition stiff, has preferred to use double-features occasionally rather than stage shows.

## W. & V. Houses Getting Amos 'n' Andy 1-Niters

Reading, Pa., Feb. 11.

Allentown, Harrisburg and Altoona, Pa., and Richmond and Norfolk, Va. Walter & Vincent spots secured five of the 20 nights on the present Amos 'n' Andy tour of the east and south. Team just played here.

Comedians show without pit or, standstand on other acts. Only other thing on the show with them is the picture. Deals are 50-50 splits of the gross.

### Friedman are studying the bill for RKO and Loew, respectively, while the RKO and Loew agents associations are scheduled to be called for a joint meeting this week to discuss ways and means of fighting this new threat.

Agents last winter defeated an attempt to pass a crudely written bill in Albany regulating and licensing their business, and later defeated New York City License Commissioner Paul Moss' court attempt to license them as employment agencies. It is the belief of the agents after reading Sen. Cuvillier's bill that it was instigated by Commissioner Moss, who some time ago stated that a bill will be introduced to license the agents.

Chief objection of the agents to licensing under the proposed bill is the mandatory power given the commissioner, who can revoke a license at any time either on his own motion or upon a complaint filed with him. In case of revocation of a license, an agent would have to wait three years before he could apply for reinstatement. They also object to the investigations they would have to undergo, and the fact that licensing would bring their business into politics.

Those officials of NBC and CBS who could be reached on the matter stated that the Cuvillier bill is a definite threat to the present operations of the chains' artists' bureaus. Counsel for the broadcasters will study the bill.

## WB HOT FOR AIR NAMES ON ONE DAY DATES

Pittsburgh, Feb. 11.

As result of Joe Penner's stand-out business in this district recently, WB is going in for additional air names on one-day stand basis at straight percentage. Latest tagged for couple of dates is Lanny Ross, who comes in this week.

He'll play Sharon, Pa., Saturday (16) and the following day goes to Scranton, O. Harry Kalmine, zone manager in this territory for Warners, also trying to corral Penner for additional one-day time and likewise putting in a bid for Jack Benny, who did a record-breaking business at deluxe Stanley couple of weeks ago.

## Memorial, Boston, Follows 13G Show With \$12,800 Bill

Boston, Feb. 11.

Second week (current) of the 53d Keith anniversary at the Memorial, includes a five-act show almost as costly as last week's \$13,000 bill headlined by Joe Penner and Boswell Sisters.

Current show has Phil Baker, at \$5,000; Peggy Taylor (Kitchen Pirates), \$1,150; Milti Mayfair and Jack Whiting, \$2,250; Diamond Brothers, \$4,250; and Salsbury Brothers, \$1,850, for a total of \$12,800.

Next week, Feb. 15, 'Casino de Paree Revue' plays the Memorial at a \$10,000 guarantee and percentage, but the fourth week of the celebration will be a medium show.

Memorial goes back to straight pictures after the anniversary spree of one month.

## Marge Alton East to Stage Fox, B'klyn, Shows

Marjorie Alton, former wife of Bob Alton and herself a stage star, has been brought on from Chicago to stage units at the Fox, Brooklyn, under the supervision of Zac Freedman, managing director. Long associated with Paramount, Miss Alton had been putting on shows at the Oriental, Chicago, for past 10 months.

She brought in her own troupe of 12 stars. Also written her own music and lyrics for most of her numbers. Her first show went into the Fox Friday (8).

## Big Show Boat Lineup

Ted Claire will m.c. the S. S. Lafayette show on 15-day West Indies cruise sailing Feb. 15.

Large complement of acts booked on this de luxe French liner goes beyond the average personnel, including besides the dance and show bands the following acts: Dorothy Finley, Marion Raymond, Jack Laurie and Jack Palmer, Judy Barnard, Alfred Brower, Vicki Faust and probably Loew, Burnoff and Wensley. Lou Wolfson (William Morris office) booked the show. Shaun Mahoney is cruise director.

## Leons Abroad

Gary Leon and Tut Mace, just become Mrs. Leon, are set for some foreign bookings via the William Morris agency, sailing March 25 to cross Atlantic in Rome Carl and then across the border to San Remo on the Italian Riviera. Rex and Gaumont, Paris, for two weeks; Hotel Savoy, London, three weeks; and the Grand Hotel, London, then a month at the Scala, Berlin.

Dancers are currently at the Billmore Bowl, Los Angeles.

## UNIT REVIEWS

## HELLO, NIPPON

(NIPPON GEKYO, TOKYO)

Pantages show has come through a good bit of re-vamping for this second edition. Considerably better than the first, "Hollywood Parade" due to better pace, a little more humor and some attempt to flash settings, but still nothing like what it should be.

Just good vaude, buttered too thinly over a 130-minute piece of toast. Show does not seem to be pulling very well and Arthur Silber, the manager, doesn't seem to know anything about changes for an extension of the original four-week engagement. At last, he won't talk. But light matinee and a price-cutting arrangement in co-operation

with a Tokyo newspaper don't seem to point that way.

Up against plenty of flash competition from the Japanese review—which think nothing of throwing a couple of hundred pairs of gams on the stage at one time, a foreign show out here must make up in humor, pace and line precision work. Also must make some kind of a deal with the audience. The stage numbers nicely and injecting plenty of novelty effects, such as light-absorbing paint, radium tubes and all that, which the Japanese haven't yet done. Only scenic flash in this show so far has been managed by Japanese artists and constructed here. One neon light routine in the first show and one rope-skipping idea (lighted ropes) in the second were apparently the only novelties imported. At least one and maybe both of these had already been done in Japan on a much larger scale.

Thus the burden falls smack on the performer and they've been laboring under handicaps. In this new tab Dave Hacker and June Sidell get a much better break than before. "Somebody backstage has finally discovered what all those funny-looking switches are for and occasionally they pull one out or push one in. First show, with exception of two numbers, was played almost entirely with foot fall out and a white floor. Given a little build-up in lights and music, Hacker and Sidell score handsily in a novelty ballroom number in three rhythms, closing—hot!—A comedy dance further down in the show built up nicely for laughs, which were badly needed. Hacker also is used in a couple of blackouts and although essentially is not a comedian, in a registering as the funniest man in the show, next to Bill Clinton, who comes on once, using the same tramp bicycling routine.

Jack Lester, hard tapper, apparently has managed to convince that 14 minutes is too long for a trick stepper. He's cut down to two brief periods on the heat all the way and delivers in workmanlike fashion. Customers receive him well. Lester also works with Hacker in the blackouts and in a Continental with Hacker and Sidell.

Tommy Jones does nicely in a couple of vocals. Myra Mason gets across solidly in a trick hula costume of black cellophane "grass" which she dances like there's nothing remarkable. Passeau and Lee hang them on the edges of their seats with breath-taking swings on roller skates. And Lottie Mayer's water ballet, which at first was only one long yawn to this nation of swimming champs, has been turned forth as the laugh sensation of the show. Girls come out dressed in purple, to be Japanese costumes (fancy wigs and all) and go through one of the most ludicrous imitations of a Japanese folk dance in the history of the stage. When caught, it was a scream. If anything starts the show packing them in, it is this entirely unimmediated feature.

Jerry Coe, with accordion and dancing, and Anita Lou, in eccentric dance routines, are pleasing. Ada Broadbent, dance stagger for her company, comes out here full for a first act finale. Does a nice job of it, but it's questionable if the number is just that is needed in that show or that spot.

HOME FOLKS  
(ORPHEUM, MINN.)

Minneapolis, Feb. 7.  
This new Weaver Brothers' unit provides a considerable amount of entertainment during its 60 minutes' running time. The gawky ruralities, Abner and Cicero, have assembled more real and capable professional talent than previously, stage-wise performers. The duo are placing most of the colorful and picturesque but talentless hillbillies of former years. At the same time, they have succeeded in preserving to a great extent the mountaineer atmosphere that helps to put this entertainment in the radio disc.

Abner, Cicero and Elvira figure less prominently in the entertainment proceedings than formerly, which is no gain for the offering, even though they never deviate from their mossbacked routines of

rural characterizations, stompings, eccentric dancing, and hand saw playing. Repetition does not seem to make this comedy routine any less surefire as far as laughs and applause are concerned.

Lack of any attempt at continuity and the absence of the more present-day comedy routine, which is the old-time round dancing by a stage full of men and women, also detract from the entertainment value. The acts, for the most part, are run off without any effort at production effect. Abner, acting as emcee, at the end of each act, announces each of the specialties.

There's a first rate singing string band of eight, with each of the musician-singers appearing in a hillbilly character. Band opens the show with "Wagon Wheels." This is followed by Abner's strumming with the band, after which Cicero makes his entrance and stomps through the ceremony in "Arkansas." The pair then play the hand saws and other instruments and Cicero extracts music from a small balloon. Abner "coaxes" the scowling, stubborn Elvira before the footlights and, attired in her gown of ancient virtues, she "warms" with members of the audience and orchestra, engages in more comedy business with Abner and Cicero, and dances a bit.

A young man imitates various barnyard and other sounds and there are more musical and singing numbers and a bit of bogle playing before the final ensemble. Big big here.

## FOOTLIGHT FROLICS

(ORPHEUM, LINCOLN)

Lincoln, Feb. 2.  
Primarily a girl show, "Frolics" is lively on the dancing side, but there's enough s--s among the temmes to get it by. Needing a novelty number to make a variety bill out of it, it could be brushed up considerably, too, from the singing end.

Burns is the lone comic and does a Savoy routine to fair reception. He's not bad on panto, but this mob's not used to it and doesn't get what he's doing until it's about over. Forgy Sisters, three times on, hoof, sing and instrument and do a good beat. Look for this pair by mostly—and there's plenty of that. Betty Lee, acro dancer, is the meat of the show and does a good bit. Nothing new in the routine, but she sells well.

Buster and Verne, with the help of their dog have a moderate comedy-acro routine; Althea Auders gives a new Egyptian number; Verne, twice appearing, does a hula and a rumba with enough wiggle; Roseada Langdon, rhythm temptress, does a new "Finger Plates," pile it on with more and more dancing. Eva Marlowe is the mistress of the crowd, but although why she sings, no one knows. Band is Jimmy Reed's.

It's a 22 piece show and owned by Jimmy Reed. Running time, 62 minutes on the opening was whittled to 56, and another five or 10 minutes were cut without injuring its occasional flares of entertainment.

## SCANDALS OF 1935

(CAPITOL, LANCASTER)

Lancaster, Pa., Feb. 6.  
This unit has everything in its favor with one or two slight exceptions. More of the contribution of musical numbers would help, and a little less flash waving in the finish would lend it dignity. But changes are minor and easily ironed out.

Staged by Harry Puck for Jack Margard and E. J. Carpenter, unit is thoroughly charged with fine talent ranging from Ross and Edwards, who carry most of the show, to Tommy Monahan and his orchestra. Monahan has plenty of pep and personality and does a good bit of m.c'ing. His band is good, makes a nice flash and is well adapted for stage work with its special orchestration.

Ross and Edwards have a lot of work throughout the show, keeping busy from curtain to curtain. Viki Joyce has several numbers, all good. Rodney and Gould with their comedy dance act are top and insert a bit of variety which does wonder. Tess Noel, doing an acrobatic dance with a charm that is amazing. Eddie Britchard in a dance and the Three Orchids with a toe ballet complete the dance of the evening.

Production is splendid throughout. Presented on a double stage, all scenes are laid so ork works in special shell under the top deck. Best bit of scenery in the show is a drop entirely filled up with head, shoulders and arms of Spanish girl. Girls behind it swing open gate-effect hands, revealing ork for first time. It's a dandy piece of work and brings an immediate outburst of applause from the house. A fountain scene features a large electric fountain with a group of semi-nudes posed on it. Central figure is Dorothy Norris, "Miss Pittsburgh of 1934." Balance of 11 of 14 grouped about it and the Three Orchids doing their toe ballet in front of it. Another production number is a rain scene in which the chorus splashes through a routine

Saranac Lake  
By Happy Benway

Joe Cahill of Capitol theatre, N. Y., came up unannounced to visit Bob Merrick, Tommy Abbott and Raymond Ketcham.

George Nevills, who left here two years ago, is back at the lodge for a mess of oozing, coming in from Memphis, Tenn.

Louis Rhinbold will party his natal day February 12.

The Henry and Dot Loran Revue will remain at the Overlook Inn for another six weeks.

Jack Nicoli, who left here two months ago, is now doing his stuff in Miami, Fla.

Clinic reports on the good side of the ledger were handed out to Doris Gascolin, Sal Ragone, Joe Dabrowski, Irving Horn and Ben Schaffer.

Twenty inches of snow.

Russ Kelly, oozier of so many moons, now located at 13 Broadway, Saranac. Between resting periods Russ emcees at the Flo Rite night club.

Helaine Brown left the hilltop city after a six-month vacation. She will resume work at the Casino de Paree, N. Y.

In answer to many inquiries, Dr. Karl Fischer is in full charge of the sanatorium, assisted by Drs. V. Wilson, Woodruff, Witt and Rothman. X-ray department, Rudy Plank. Research department, Monroe Coleman.

We can use new books and gig-saw puzzles for the lodge library.

I. N. Gilbert, N. Y., has been admitted into our Good Samaritan club.

Eddie Ross is a newcomer at the lodge. Boy oozed in Liberty, N. Y., before coming up here.

Via the efforts of William Morris, Jr., the Emergency Relief Administration product, n. "Tommy," written by Howard Lindsey and Bertram Robinson, was presented at the lodge. In the future all road shows playing the C. C. Camps will stop off at the lodge.

Write to: Those who know in Saranac.

## Near-Accident

Pittsburgh, Feb. 11.  
Jean Haselett, 18-year-old dancer with Danny Darc troupe at the Penn this week, probably owes her life to Homer Ochenshitz, pianist in the house ork. Dancing too near the footlights at the opening show Friday afternoon, Miss Haselett, doing a series of cartwheels, catapulted several feet into the pit and struck Ochenshitz, which broke her fall.

Physicians ordered her to rest until they were able to determine full extent of her injuries, and said it was doubtful if she could return to work for a few days.

In slickers and hats in a real downpour of water.

Cavalcade of War, designed to get the nation rousing finish, depicts Revolution, Civil War, Spanish-American and World Wars on the screen, while the ork gets in the background. It's a little too thick in view of the fact that the unit goes across very nicely without any flag waving.

Marcus Stalls Orient  
For Midwest Dates

Chicago, Feb. 11.  
A. B. Marcus has dignified for three additional B&K weeks in the nabe spots, starting March 15 at the Uptown for his "La Vie Paree" unit. Show is now on tour in Omaha, Minneapolis and Indianapolis. Marcus is deferring his departure with show to the Orient and Australia. Instead of leaving in March, as originally planned, he won't sail until some time in May.

## Cole on Own

Lester Cole and Texas Rangers are back in vaude as an act by themselves.

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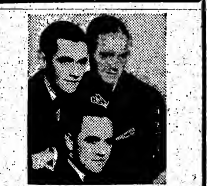
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# Plays Abroad

## LOVE ON THE DOLE

London, Jan. 31.  
Play in three acts by Ronald Gow and Walter Greenwood, presented by Vernon Wells Productions, at the Theatre Royal, Drury Lane, 30. Produced by Reginald Bach.

Gally Hardcastle.....	Wendy Hillier
Harry Hardcastle.....	Wendy Hillier
Larry Heath.....	Ballard Berkeley
Mr. Hardcastle.....	Julian Mitchell
Mr. Jiles.....	Julian Mitchell
Mr. Auld.....	Marie Auld
Mr. Bell.....	Beatrice Varley
Mr. Grandy.....	William Weston
Mr. Hawkins.....	Yvonne Sherburn
Mr. Hardy.....	William Weston
Mr. Jiles.....	Walter V. Tobias
Mr. Jiles.....	Dorothy Dwyer
Mr. Jiles.....	Harry Mann

A year or more ago Walter Greenwood wrote a moving story of the Lancashire life called *Love on the Dole*. It was sufficiently successful for Ronald Gow to make a stage adaptation of it, which was produced at the Manchester Repertory theatre last March for a fortnight. Since then it has toured twice through the popular theatres, and has over 800,000. Once or twice negotiations to bring it to London, and it finally reached the city where it was staged by Reginald Bach, and the company strengthened with a few names.

Leaving actually on the stage a vivid picture of the hopelessness and inevitable deterioration of the working man in a small Lancashire factory town.

Passing through the various stages of a bare existence during the last few years, the boy goes to work to father, son and daughter in the mills and factories, or to the place where they have recourse to the dole, where they are made to live and think, struggle and hope—always with the same ultimate result. The boy is eventually left off just as he is about to marry a young girl, and the family lives on the dole. The boy is eventually left off just as he is about to marry a young girl, and the family lives on the dole.

Utterly disillusioned, the girl finally sells her to a rich book-maker, who has a son and a daughter to get her father and brother jobs in the factories, and who allows her enough money to give her mother a few physical comforts. All this is not accomplished without her father striking her, calling her a prostitute, and so on. The girl finally comes down with father declaring to mother, 'I did the best I could.'

Most impressive cast contributed in no small measure to the tremendous reception given it at the premiere.

Every indication that Wendy Hillier, playing the girl, will be a new star. She has the usual picture of the gamut of emotions to a nicety.

Cutting the running time half an hour and flattening out the Lancashire dialect, the play and the present company would undoubtedly score in New York. Jolo.

## OLD BAILEY

London, Jan. 21.  
Drama in three acts by Charles Tait, presented by the Charles Tait Theatre, Westminster theatre, Jan. 20 for one performance.

Eileen Farron.....	Margaret Rawlings
Robert Farron.....	Gilbert Davis
Miss Wally.....	Muriel Minty
Mr. Wally.....	Philip Hallatt
Mr. Wally.....	Philip Hallatt
Mr. Wally.....	Philip Hallatt
Mr. Wally.....	Philip Hallatt
Mr. Wally.....	Philip Hallatt
Mr. Wally.....	Philip Hallatt
Mr. Wally.....	Philip Hallatt
Mr. Wally.....	Philip Hallatt

Campbell Dixon is film editor of the Daily Telegraph. Not unnaturally the play takes on the attributes of a film scenario.

Best thing to do is to rewrite the play. It is a rough basis for a splendid melodrama. There are some splendid character drawings and some very good dialog.

A gold-digging film actress marries a middle-aged widower. He deceives him, takes his money and gives it to a gigolo with whom she is acquainted. The gigolo's husband, is acquitted by a famous barrister who believes her innocence and marries her, only to discover she had actually murdered her husband and was still running around with the gigolo.

Play was produced at the Westminster for a single performance, Sunday, Jan. 20, by a society calling itself the Charles Theatre. While many in the cast are excellent, some of the selections were not as felicitous as they might be. Piece was under-rehearsed, some of the lines over-played and the stage settings mere makeshifts.

Play, in a revised form, is sure to be heard from again. Jolo.

## MON AMI PIERROT

Paris, Jan. 12.  
Opera in one act, music by Sam Barlow, book and lyrics by Sacha Guitry, World premiere at Opera Comique, Paris, Jan. 12. Part of Franco-American benefit matinee gala.

This is the first American opera to become part of the repertoire of the Opera Comique. It was put on after an enormous amount of bally in front of a large audience of stupefied shirkers. President of the French Republic and Ambassador Jesse I. Straus of the United States.

Hard to understand why this piece was picked for so much honor. Music is melodious and technically competent, but undistinguished in any way. Guitry's book also is clever—in his light manner—but without weight or force sufficient to give it any import. A sketch which he played alone on the same program, earlier in the afternoon, represented a man waiting for a woman to come to see him, is better entertainment.

Barlow's score is reminiscent of Debussy, and the music is perhaps necessarily old-fashioned. But fact that antiquity is logical doesn't make it any less obvious to an audience that the music should have been written a century or more ago.

Several good melodies are in the score, but they have value if pulled out of the attempt at opera. Book is frothy, based on a supposition that in the life of an Italian composer, Lulli, who is represented as accidentally composing the French nursery melody, 'Au loup, au loup,' as a serenade to a public letter-writer, whose help he wants in courting a woman.

Opera, which lasts 50 minutes, will probably be used by the Comique as curtain raiser. Stern.

## SUMMER'S LEASE

London, Jan. 23.  
New play in three acts by Winifred Howe produced by John Parnall at the Embassy Theatre, London, Jan. 23.

James Marks.....	Wyndham Goldie
Mr. Marks.....	Wyndham Goldie
Mr. Marks.....	Wyndham Goldie
Mr. Marks.....	Wyndham Goldie
Mr. Marks.....	Wyndham Goldie
Mr. Marks.....	Wyndham Goldie
Mr. Marks.....	Wyndham Goldie
Mr. Marks.....	Wyndham Goldie
Mr. Marks.....	Wyndham Goldie
Mr. Marks.....	Wyndham Goldie

The author's idea is to have one of the same characters who is a stockbroker's office as the heroine of this play. She had another place produced at the Elvess, the small private auditorium where embryo plays are given tryouts. At present she is a script writer at Gaumont-British.

Reproduction of office routine in a stockbroker's establishment is not to be realistic, but it is so fooling that it becomes tiresome after a bit. Comedy is childishness. Miss Howe has written a drama of life, although hardly a drama of the theatre. With suitable descriptive writing it ought to make an excellent novel.

A woman of 35, after having spent 15 years as a typist in a stockbroker's office, writes a successful play. She falls in love with the leading man, who is in his early twenties, and he amuses himself with her until after the premiere, when the woman resigns her job to devote herself to play-writing. He enters and informs her he has just become engaged to the leading lady and has deterred asking her hand in marriage until he was sure the play was successful, and he knew that she, the authoress, would understand.

Piece is well produced by John Parnall. Biggest hit is scored by Wyndham Goldie, as the stockbroker, who is the play's villain, with the feminine honors going to Dorice Ford as his secretary.

## SZAZHUSZAS TEMPO

(Eighty-Mile Speed)

Budapest, Jan. 10.  
Comedy in three acts by Armand Gaulte and Michel Gaulte, at the Kamara Theatre, Budapest. Cast: Margit Bayla, Zoltan Szekely, Tamas Koppel, Deocz.

A more than usually pleasing comedy of no great pretensions but a great many laughs. Merits are more in the dialogue than in the story. About a young bank clerk on the verge of despair because he is about to be sacked on account of the depression, when the bank president's daughter knocks him over with her car. Her father mustn't know that she nearly killed a man, so she adopts him, making believe

he's her boy friend. Starting from this, boy makes a dizzy career, proving he can make good if only given a chance, and incidentally worthy of marrying the president's daughter.

Has little to do with real life but handled as it is, in the manner of a satirical farce on the workings and the types seen in banking life, this play is a staple for little-known authors and very well acted in a second-rate theatre, came as a surprise and is attracting new patronage to the Kamara. Might do on the screen, although more suitable for a staple type of musical than for American stage (Joco).

## BETWEEN US TWO

London, Jan. 30.  
New comedy by D. A. Clarke-Smith, at the Metropolitan Theatre, London, Jan. 29. Staged by D. A. Clarke-Smith.

Cecilia O'Hara.....	Eva Hudson
Mr. O'Hara.....	Jack Mervin
Mr. O'Hara.....	Jack Mervin
Mr. O'Hara.....	Jack Mervin
Mr. O'Hara.....	Jack Mervin
Mr. O'Hara.....	Jack Mervin
Mr. O'Hara.....	Jack Mervin
Mr. O'Hara.....	Jack Mervin
Mr. O'Hara.....	Jack Mervin
Mr. O'Hara.....	Jack Mervin

Yet another problem play of a happy young couple who should have been married, but for a harmonious, but who pull different ways.

A woman is a famous author who feels the urge to gain laurels—husband a likeable young journalist who needs a home and a child to take the place of one they lost. Nothing much more than that.

Bright passages are amusing and natural and make the sterner incidents seem unreal. Generally well acted, but nothing outstanding. Author has been a dramatic critic, so, knowing too well the fate of other plays, cannot be too optimistic of this one.

## A Szerelm Nem Olyan

Egyszeru

(Love is Not as Simple as it Looks)

Budapest, Jan. 20.  
Play in three acts by Ferenc Molnar, at the Vigadeusz Theatre, Budapest. Cast: Lily Kertesz, Zoltan Szekely, Paul Arthurs, Soma, and Gabriel Radnay.

Fodor, recognized as the cleverest artisan among local playwrights, has attempted something less effective and more pronounced this time. It is a play that is enjoyable and interesting, although not out-out-for-a-bit-starting. The play is a comedy, showing a performance of 'Romeo and Juliet,' which the boy and girl, who are the play's hero and heroine, are attending, he proceeds to display that love is not as simple as it seems. It was at that time that the modern boy and girl don't allow themselves to fall in love, or if they do they don't confess it to themselves until it is too late, until the girl has married a wealthy, elderly, thrice-divorced business man.

(Continued on page 75)

## Inside Stuff—Legit

'Hollywood Holiday,' first called 'No Man's Hero,' the Bebe Daniels-Ben Lyon-Skeets Gallagher play in which they play themselves, will not reach Broadway this season. Film names are expected to be a road draw, and if so, 'Holiday' would be held out of New York until the fall.

Show's dates have been slightly changed. Debut now slated for Wilmington, Del., Feb. 15, following which it will be in Boston, New England date will follow with Chicago the tentative objective after Boston.

Two summer theatres figured in 'On to Fortune' which opened and closed at the Fulton theatre, N. Y., last week. Under the title of 'For Love or Money' it tried out at Westport where the Country Playhouse is conducted by Lawrence Langner and Armina Marshall (Mrs. Langner) also wrote the play.

Crosby, Gaige, and Charles Heldt presented 'Fortune.' Latter conducted the summer stock house at Neponc, N. J., where 'No More Ladies' was tried-out. He had an interest in the successful Broadway engagement. Show when at the Jersey spot was called 'Home, James.'

During the performance of 'Accent on Youth,' Plymouth theatre, N. Y., Constance Cummings made a bit of knitting. Mack Hilliard, the show's manager, said he was a bit of a knitter, but he was not a knitter, Cummings replying that the show probably wouldn't last long.

That was shortly after the show opened but the scarf is nearly finished. 'Youth' got less than \$3,000 in its first seven performances. Last week it approximated \$11,000 and looks set through the season.

When Cole Porter and Moss Hart stopped over in Hollywood they were hosted by an eastern contingent of composers and writers. Highlight of the evening was a stag parody on Porter's 'You're the Top' ('Anything Goes,' Alvin Thayer, N. Y.). Porter was honored and sung by Irving Berlin. Broadwayers got a load of it last week from one of the guests. Porter and Hart continued on a cruise around the world.

With the idea of stimulating interest in a legit show, specifically 'Loose Moments' which opened at the Vanderbilt theatre, N. Y., last week, hundreds of tickets were given away without charge, mostly to clerks in chain grocery stores. Central character in the play is a grocer's delivery boy. Show folded Saturday (3).

Lucy Mitchell has resigned as secretary to Gilbert Miller in America, going on her own as general representative for managers and actors. Her car for contacting and general advice. Miss Mitchell's first client is Gilbert Miller.

# An About Face

## Suspended, but Now an Equity Delegate—Douglas Gilmore's Record

## ROPES EAST TO CLOSE DEAL FOR STAGE TUNER

Hollywood, Feb. 11.  
Bradford Ropes heads for Broadway late this week to arrange for production of a new musical and act in finishing licks on his new novel, 'Challenge,' for summer publication. Ropes authored the book and lyrics of 'Hometown Boy' with Philip Schner on the music, slated by George Kondoff for early production.

Author of '42nd Street' and 'Stage Mother' recently concluded a stretch at Radio, where he collaborated with Vera Caspary on the musical, 'Hooray for Love.'

## FULL PAY FOR FOREST CAST

Although there were only five performances last week of 'The Petrified Forest,' Broadway's top grossing drama at the Broadhurst, because of illness of Leslie Howard, the other players were paid full salaries. That was at the suggestion of Howard, who is also a partner in the managerial end with Gilbert Miller and Arthur Hopkins. Latter duo agreed to make no deduction, which would have been permissible under Equity rules.

Howard was afflicted with boils, one of which was on his arm. It was necessary to lance the boil at St. Sinai hospital Monday (4), but the arm was so painful that Howard was unable to go to the theatre. Tickets were refunded or exchanged.

Mittler cut short his vacation in Florida when Howard went to the hospital, coming back by plane Thursday (7). Manager decided he would sail for London Saturday (9). He is due back in New York in about six weeks.

From a suspended actor to an Equity representative is the overnight reversal of fortune, the standing of Douglas Gilmore, banned by the Council last May for his performance at the debut of 'East of the Sun,' which Woe and Leventhal presented in Philadelphia with Lenore Ulric. Gilmore is in the cast of 'Hollywood Holiday,' the Bebe Daniels, Ben Lyon, Skeets Gallagher show, and the other players appointed him the Equity deputy.

His appointment might be interpreted as a bit of nose-thumbing at the Council by the 'Holiday' players, but the latter disclaimed any such intent. Equity officials smiled over the quick change in Gilmore's standing, but said it was okay by them—the players have the right to name their deputy, whose duties are to see that the management complies with Equity requirements, being the contact man for the actors. The players have the right to name their deputy, whose duties are to see that the management complies with Equity requirements, being the contact man for the actors.

Gilmore is doubly interested in 'Holiday,' first called 'No Man's Hero,' the play which he is in collaboration with his wife, Kay Kenney, formerly a player under the Shuberts.

Howard's drop in status resulted in suspension from Equity for six months. Gilmore also was ordered to pay W. & L. two weeks' salaries, as a fine. Suspension lasted nearly three months, however, the fine was not paid until 'Holiday' went into rehearsal. Council lifted the ban last week.

## Three Foldups

Three plays withdrew from Broadway last Saturday (9), two being quick flops and the other an early out-of-town flop.

'Merrily We Roll Along' opened at the 22nd Street Theatre, but the road from the Muni Box after a 19-week run. Although it topped the list for the first half of the engagement and the sale of the picture rights places it definitely among the hits, it was discarded to span the season. With a cast of 90 and large stage crew, drama had an operating set-up comparable to a musical show, which type it was. It was a flop. It grossed around \$20,000 weekly during the height of its run. Most dramas could operate to profit at 'Merrily's' departure pace.

## 'MERRILY WE ROLL ALONG'

Opened Sat. 22. First dramatic hit of the season by consensus of opinion of all the first-stringers with the exception of Hammond (Tribune). Labeled a flop by the critics, but felt that it was a good play.

'Variety' (Idee) said: 'Balling drama.'

'On to Fortune' was among last week's premieres. It drew a press as uncertain as its writing so the authors agreed with the presenter, Crosby Gaige, that it had little chance. Yanked after eight performances at the Fulton.

## 'ON TO FORTUNE'

Opened Feb. 4. Although Garland (Telegram) thought it was a 'pleasant little piece,' the other first-stringers gave the show a 'pleasant little piece,' the show's manager, said he was a bit of a knitter, Cummings replying that the show probably wouldn't last long.

Gabriel (American) said, 'All in all a thin and somewhat thankless fiasco' and Anderson (Journal) declared it 'no holiday for the playgoers.'

## 'LOOSE MOMENTS'

Opened Feb. 4. Second stringer got the opportunity to give this a shattering with another opening taking the top-notch jokers' time.

Ward (Post) said the show 'deserved something a good deal better.'

# Showdown Due on Ducat Control Rules; C.A. Session to Argue It

Showdown on the ticket control rules as applied to Broadway's theatres by the revised legit code is due at this week's Code Authority session. Following the case of independent brokers whose application to restrain the CA was dismissed with an opinion variously interpreted, it was declared that the test of the workability of the system will come if and when action is taken against managers alleged to be violating the rules.

Philip Wittenberg, counsel for the CA, regards the court ruling from a different slant than that put forth by Charles Abrams, the agencies' attorney. Latter contends that the decision establishes the code as a contract, and that unless all managers individually sign it doesn't work. Wittenberg states this is not necessary, there being individual signatures.

Wittenberg, who framed the rules with William P. Farnsworth, code administrator, also an attorney, explained that they made the ticket control system in the form of a contract between the Authority and the brokers so that the latter could not thereafter contend that the rules are illegal on price-fixing grounds. There is a decision in New York that voided a statute because it placed a limit on ticket prices.

It is contended by the CA lawyer that the indie agents do not start the action fairly because, at the time, they failed to exhaust administrative remedies. He also contends they could not prove a grievance against the CA. As for the decision, the court may not have recognized the theory in back of the code, that it is a pact aiming for fair competition, he feels.

Prosecution for violations must come from Washington—either the legal department or the tax administration (Internal Revenue Department). It is now plain that agencies will not be able to sue the CA and agree to abide by the rules cannot be prosecuted. Therefore the managers who may be detected doing business with such brokers would be subject to the ticket situation.

Whether the ticket situation is improved this season over last is a matter of conjecture, with some showmen stating there is more gyping currently. However, theatres have 25% of the tickets on sale at the box offices; a definite improvement. That rule, which was agreed on last season, is believed to be followed generally along Broadway and appears to be a definite development in holding down excessive ticket prices.

## 9 PICKETING ACTORS PINCHED; OUT ON BAIL

Theatre Union, radical drama group operating the Civic Repertory Theatre, New York, lost out on the Saturday (9) matinee performance when nine of the group's picketers were arrested for picketing in front of a 14th street dress house. Actors were released on bail late in the afternoon and played the evening performance of 'Sailors of Castor'.

Actors were asked to join the pickets in front of the dress store and did so Saturday morning. Group was joined by some noisy radicals and cops swooped down, arresting about 40 persons for 'mass picketing,' prohibited under court order in New York. Bertram Meyers, attorney for the Theatre Union, got the actors released on \$100 bail. Case came up in Essex-Market court Sunday morning and was deferred till Thursday (14). Meyers asking for and being allowed a reduction of bail to \$10 per man.

## 'MERRILY' ROLLS INTO L. A. BELASCO FEB. 18

Los Angeles, Feb. 11. Homer Curren's Coast production of 'Merrily We Roll Along,' moves into the Belasco Feb. 18, following three weeks in San Francisco. The show's "weighting" is first since Dec. 1, when the William Fox Repertory Co. wound up a brief engagement there.

## 'Judgment Day' in Chi

Chicago, Feb. 11.

Arrangement has been made by Lawrence Paquin, director of the Peoples' Institute Players, for the production of Elmer Rice's 'Judgment Day' here.

Play will run for two weeks, which will make a record run for a show at this group theatre.

## HART-RODGERS' TWO MUSICALS FOR SHUBERTS

Lorenz Hart and Richard Rodgers are at work on two shows for the Shuberts. First will be a revue to go into rehearsal as quickly as cast and next will be a book musical. Latter show is figured for about April or May if talent desired is available.

Revue is as yet untitled. Raymond Knight, from radio, is writing the skits. Cast not set yet but Bob Hope and Herb Williams have been approached. Latter is dependent on continuation of 'Farmer Takes a Wife,' legit, in which he is currently appearing. Beatrice Lillie was also approached but doesn't want to go into a show that might carry into the summer. She doesn't like summer work.

Musical is a piece about show business entitled 'Toe Business' Hart is writing the book for it himself. Gregory Ratoff and Ray Bolger are considered for two of the leads. Latter is currently in 'Life Begins at 8:40,' another Shubert show and figured to be ready to go into time for the Rodgers-Hart opus.

The Rodgers-Hart revue will have nothing to do with a new version of the 'Follies,' which the Shuberts are also casting and preparing currently.

## BAKER TALKING NEW ROAD TRY OF 'STARS'

Boston, Feb. 11.

Phil Baker, now playing a vaude date at the Keith Memorial, is understood to be negotiating with Warner Brothers. He has asked backing to resemble 'Casting All Stars,' which folded recently in New York, and start it on a tour again.

Idea is to take the best features of the show and give it another try. Its three-week run in Boston was successful but it could not make the grade on Broadway.

Discussion over picture rights to Broadway attractions has not included two current shows which are claimed to have been 'mixed' by higher-ups in the film industry. Shows involved are 'Personal Appearance,' produced by Brock Pemberton, and 'Post Road,' presented by Fottor and Haight.

George Haight of the latter firm is reading a complaint to the legit Code Authority, charging the Motion Picture Producers and Distributors (MPPD) office with 'unfair practice' and restraint of trade by allegedly putting thumbs down on his comedy melodrama.

Group of prominent picture producers is reported having huddled on 'Appearance' and Broadway believes there is a verbal agreement not to film the comedy, which spoofs personal appearance of film stars in theatres. There has been

## New Palm Beach

Broadway producer recently back from Palm Beach after a short sojourn, said he didn't enjoy his vacation at all.

Explained it was just like attending a Theatre League meeting, only the managers had on bathing suits.

## SUNDAY BILLS

### UP ON FEB. 20

Proponents for and the diminishing opponents to Sunday legit performances will gather in Albany Feb. 20 for a joint Senate and House committee hearing on bills which would legalize first day shows. If any when the measures are passed and signed, Sundays will become a matter of local option in the various communities of the state of New York.

Bills introduced by Senator Berg of the Bronx are an amendment to the penal code and another to the labor law providing for one day's rest in every seven for legit actors. Assemblyman Nease of New York introduced companion legislation in the House.

## CANTOR'S 'PERCENTAGE DEAL FOR NEW LEGIT

Refusing a salary, Eddie Cantor is reported to receive a straight 15% of the gross from Vinton Freedley in Broadway musical comedy for early fall production next season. Idea is that the book stage musical will insure Cantor a vehicle for a picture for 1936-7. Freedley closed the deal with Sam Goldwyn, who has Cantor signed exclusively.

Howard Lindsay; Russel Crouse, who collaborated on the book of Freedley's 'Anything Goes' and Cole Porter, composer of that score, will work together on the Cantor musical. Slated for rehearsal in September.

## H'Wud Guilders After Lukas for 'Love Mari'

Hollywood, Feb. 11.

First production for the new Hollywood Theatre Guild will be 'Love Mari' by Ernest Valda. Piece was produced in Budapest by Paul Lukas in the lead. Guild is trying to get Lukas for the local production.

Guild is auditioning for junior players who will receive training through appearing in bits in Guild productions.

## Fagan's Coast Bath

Hollywood, Feb. 11.

Myron C. Fagan, playwright, has filed a petition in Superior Court. His billies are \$38,000, owed mostly in New York.

Nominal assets are \$37,000.

# Equity Youngsters Plan Another Test of Strength at March Meet

## Paper Sponsors Ballet

Omaha, Feb. 11.

Monte Carlo Ballet Russe appears here in a single performance under sponsorship of the World Herald evening of Feb. 15 at the city auditorium.

Ballet is second show brought in the newspaper this season. San Carlo-Opera company was here four days in November, to good biz.

## BOST. MAYOR'S NEW CENSOR IDEA

Boston, Feb. 11.

Mayor Frederick J. Mansfield of Boston, after taking plenty on the heat as a result of his ban on the Hub showing of Sean O'Casey's 'Within the Gates,' announced on Wednesday (6) that he would change his censorship tactics radically from now on.

It all started when a rumor circulated about town that the banning mayor would chop down on the 'Sailor Beware.' Mansfield promptly announced that in the future plays would be allowed to open, regardless, and on opening nights the city's board of censors would view them. If and when a play is voted unfit for Boston audiences by this body, the mayor will act immediately to suspend the theatre's license. This, according to the mayor, is the 'legal way' to ban plays.

'Sailor Beware' was allegedly pencilled into the Wilbur for Feb. 18, but scratched when City Censor Herbert L. McNary reminded a representative of the theatre that no other managements in Boston had considered it wise to bring the racy piece into town, especially after the 'Gates' episode. This was construed by the local press as another ban, and when reporters trooped up to city hall they found a peeved mayor, burning under the unfavorable spotlight trained upon him ever since he barred the O'Casey piece.

New plan of censorship was then announced, emphasizing that the producers would have to sample with risque shows, because future bans will be announced only after opening performances.

## U. of T.'s Modern House

Iowa City, Ia., Feb. 11.

Construction work on the new University of Iowa theatre building, to cost nearly \$100,000 and which will seat 500, is now under way, contractors having been awarded and authorization to start work given.

New house will be modern in every respect.

Equity's third quarterly meeting of the season will be held March 1 at the Hotel Astor, and while the announced purpose is to name a nominating committee for the annual election, a lively session is anticipated. Proposals furthered by Equity's active younger group which were set back at the last meeting are slated to be introduced from the floor again for definite action.

As the officers were elected for a period of three years last June the ballots at the coming election will name 10 new members to the Council, or to re-elect Councilors whose terms are expiring. Group regards the election with even more importance than last year, when they proved strength by electing six of their party to the Council.

Although the group is regarded as being anti-administration, it did not aim to name the officers. Plan of action was and still is to get a foothold on the Council, since that body, and the officers, control the association. No claim has yet been made of the number of additional Councilors the liberals hope to elect this season.

Issue most likely to come up is pay of rehearsals or subsistence money to players contracted at modest salaries. Also elimination of the junior rating in Equity will be discussed. The latter is the subject of \$25 as against \$40 for seniors is claimed to have resulted adversely to the latter. That matter was recently discussed by the Council and the managers, latter deciding that as the two minimums are in the code, changes should come from Washington. Another proposal would require managers to engage only Equity members as extras, but that appears to have been put off until next season.

Likely that the meeting will be addressed by representatives of other stage labor bodies on the matter of Sunday performances. Other unions favor Sunday Equity alone holding out. At a recent Code Authority meeting it was resolved that Equity be asked to schedule in the other labor people so they the Code can hear their attitude on Sunday.

Fred Dempsey of the stage hands, Tom Gamble of the musicians, Fred Marshall of the scenic artists, and Ted Mitchell of the press agents and company managers in unions, were named by the CA for the Equity appearance.

## 'CHEER' EXPANDS ROAD TOUR, HAS 37 WEEKS

Definitely decided to expand the tour of 'As Thousands Cheer' to the coast, it will have the longest road engagement of any legit show within six weeks, bookings totalling 37 weeks. Revue started from Broadway in September and will keep going until June.

Sam H. Harris, the 'Cheer' automatically sets back the plan of Sam H. Harris to present a sequel revue, 'More Cheers,' by Irving Berlin and Moss Hart. That was set when 'Cheer' was aimed for key cities and booked for only 12 weeks.

Although it is stated that 'More Cheers' is now slated for next season, Harris is off on a world cruise with Cole Porter and the duo is scheduled to return with the completed book and score of another musical. Understood that Harris has an option on that show too, giving the manager at least two major musicals on his next season schedule.

## Moore's Fla. Stock

St. Petersburg, Feb. 11.

Raymond Moore, operator of the Cape Playhouse at Dennis, Mass., will open a winter season here to-night with Sidney Howard's 'Christmas Eve'.

Company includes Lester Vail, Lynn Kendall, Philip Huston, Jessa Newcome, Forrest Orr, Dudley Hawley, Elizabeth Bruce, Clifford Barton, Flora Campbell and Judith Barry.

Buck Symon, former stage director for Belasco, is staging the play, with Eugene Fitch as scenic designer.

# FILM NIX ON TWO CURRENT B'WAY SHOWS CHARGED, 'ROAD,' 'APPEARANCE'

no concrete offer for the celluloid rights to the show, despite it's a legit bio, leader.

Pemberton is unfrustrated over the supposed situation. Pictures 'Appearance' to be more valuable as a stage project than any possible revenue he could get from a picture make.

Pemberton estimates the bid bid from Hollywood would be \$100,000 of any straight show, his share being half that sum. He says that isn't so attractive in comparison to the possibilities from a picture presentation. Explains that his 'Strictly Dishonorable,' a comedy bid of several seasons ago made a profit of \$30,000 in Philadelphia alone.

Plan for 'Personal Appearance' is to play the key cities starting some time next season and then the small stands. Set-up of the show is such

that it can be presented in almost any sized town and operate successfully. Ultimately he may make the picture version himself.

Haight says that prior to presentation of 'Post Road' a picture firm sought to buy his interest in the show and that there were several bids but he has rebuffed them. The firm people lost interest when the manager claims he discovered that the word was passed around not to buy 'Post Road' because it points out a new manner of kidnapping and shows in violation of film police.

There was no written suggestion sent the various picture producers, but Haight wrote the Hays office. He was informed the communication was aimed for Hollywood and that he had been back to New York headquarters but he claims to have received no satisfaction.







# 4 Shows in Loop on Profit Side;

## 'L'Aiglon' \$13,000, 'Varieties' \$14G

Chicago, Feb. 11. Generally steady business last week for the quartet of shows battling at the box-office here. Two newcomers were 'L'Aiglon' and 'Continental Varieties' latter fading after its one-week booking to a fine gross and the LeGallienne production continuing for a second season.

'Varieties' represented the entry of Grace Denton, concert agent of the loop, into the legitimate field, and she closed by bringing over to the legitimate several of the concert ideas, particularly the society audiances angle which sold out her first night at \$5.00 top. Made money for everyone concerned and gave the show excellent publicity rating.

Coming in shortly are Cornelia Ota Skinner at the Selwyn on Feb. 18; C. K. Freeman's production of 'Sixteen' at the Blackstone Feb. 17; Ina Claire in 'Ode to Liberty' at the Grand Feb. 18 and 'Merri We Roll Along' rolls at the same theatre just one month later.

Monte Carlo Ballet returns for its third session at the Auditorium for three days, March 8-9-10. Ballet has been a complete sell-out on both previous sessions.

**Estimates for Last Week**  
Abbey Theatre Irish Players, Harris (1,000; \$2.20) (3d week). Out after three fine sessions. Last week grossed \$11,000. Dated for only one figure or above it currently for its fate-out.

'Continental Varieties,' Studebaker (2,000; \$3.30) (2d week). Sold out a week and cleared through to powerful \$14,000 for its session on exceptional fine society publicity and acting.

'L'Aiglon,' Grand (1,200; \$2.20) (2d week). Notices and comments good all down the line. Topped near \$12,000 on opening week and will stick within two grand of that figure currently.

'Roberta,' Erlanger (1,300; \$3.30) (2d week). Still a couple of weeks away from the finish. Only straight musical comedy in town turning in net grosses week after week. Not dropping much from high mark at \$20,000.

**Other Attractions**  
Showboat 'Dixiana,' New meller Boys (1,000; \$2.20) (2d week). Will continue through spring and summer without difficulty.

## FISCHER'S 5G SUIT VS. CARSON OVER L. BOYER

Chicago, Feb. 11. Suit for attachment has been filed here against Henry Carson, manager of Lucienne Boyer, and against H. B. Franklin, Arch Selwyn, the 'Continental Varieties' and the owners of the Studebaker, as well as Miss Boyer appeared last week. Suit was filed through attorney Henry A. Kalchauer for Clifford Fischer, who alleges in his complaint that there's the sum of \$5,000 due him from Carson.

Fischer states that he was the former manager of Miss Boyer and turned her over to Carson on a deal in 1932 which promised him a percentage of the return. Claims that the amount due him for the period elapsed is five grand.

## 'DODSWORTH' \$23,000

Washington Finally Giving Full Blast With Legit

Washington, Feb. 11. After wading through a season of ups-and-downs, the National, which is only legit house, is going full blast.

'Dodsworth' wound up its week Saturday (9) with an appearance of \$23,000, fine. Town notoriously slow getting started with stage shows, otherwise first three days might have taken care of the week flows toward the end of the week.

As 'Thousand Cheer' opened Sunday (10) to full house, the week's sale is tremendous for the full week. 'D'Oyly Carte' operas follow, bowing in Feb. 18.

## Skinner \$5,000, Cincy

Cincinnati, Feb. 11. Cornelia Ota Skinner got approximately \$5,000 for her first performances at the Shubert the last half of last week. Saturday night's sale was same as night—\$5,100, \$1.85 and the week's new Cincy high for Miss Skinner.

Theatre gets 'Ah, Wilderness' final three days at the same advance sale is tremendous for the full week. 'L'Aiglon' the last half of next week, both at \$2.20 top.

# Current Road Shows

Week Feb. 11.  
Abbey Players, Harris (Chicago).  
'Ah, Wilderness,' Memorial Auditorium, Louisville, Ky., 11; English, Indianapolis, 12; Victory, Dayton, 13; Shubert, Cincinnati, 14-16.

'As Thousands Cheer,' National, Washington.  
Cornelia Ota Skinner, American, St. Louis, 11-13; Shubert, Kansas City, 14-16.

'Cross Ruff,' Walnut, Philadelphia.

'Distast Side,' Shubert, Boston.

'Dodsworth,' Colonial, Boston.

'D'Oyly Carte Repertory, Shubert, New Haven.

Eva LeGallienne Repertory, Grand, Chicago.

'First Legion,' Plymouth, Boston.

'Folies,' Majestic, Houston, Tex., 10-11; Texas, San Antonio, 12; Paramount, Amarillo, 13; Majestic, Wichita Falls, 14; Texas, Fort Worth, 15; Melba, Dallas, 16-17.

'Hollywood Holiday,' Playhouse, Wilmington, 15-16.

'Mary of Scotland,' Forrest, Philadelphia.

'Merri We Roll Along,' Chestnut, Philadelphia.

'Mrs. Moonlight,' Broad, Philadelphia.

'Pagan Lady,' Parkway, Madison, Wis., 11; Davidson, Milwaukee, 12-16.

'Petitcoat Fever,' Royal Alexander, Toronto.

'Pop Goes the Weasel,' Mayan, Los Angeles.

'Roberta,' Erlanger, Chicago.

'Small Miracle,' El-Capitan, Los Angeles.

'The Bishop Misbehaves,' Nixon, Pittsburgh.

'Whitehead,' Whitehead Repertory, Erlanger-Columbia, San Francisco.

Los Angeles, Feb. 11.

After being dark for nearly three weeks, the El Capitan played last Thursday (7) with 'Henry Duffy's production of 'Small Miracle,' Cast including Joseph Maurin-Castles, Joseph King, Robert Middlemass, all from the original New York company.

'Pop Goes the Weasel' was previously done at the same house by the members of the L.A. Times dramatic club. Topped at 11 nights and cleared \$12,000. Play will be lucky if it clears \$1,000 on its first week even with the aid of \$200 for the change of cast, which the town has been plastered.

**TROUPEURS' DANCE**

Troupeurs' Club, non-profit making organization of stage employees, founded to assist unemployed, will hold a dance at the El Capitan at Mecca Temple, March 2.

## FIRST LEGION' BUILDS TO \$12,000 ON 3D WK.

Boston, Feb. 11. 'D'Oyly Carte' group has topped its four capacity weeks at the Colonial, Saturday night, with 'Gondoliers' and a final week's take of \$12,000. Last week's night, Feb. 10, was the town's ace legit attraction this year.

'First Legion' is 'Distast Side' opened moderately strong at the Shubert, gleaming about \$5,000 on its first week.

'First Legion,' Jesuit play at the Plymouth, in its fourth week is building. Last week (third), Feb. 10, best yet, got \$12,000. Stays at the Plymouth the week and then moves to the 'Opera House' at pop prices.

'The Eldest,' new play by Eugene Courtwright, proved a dud at the Wilbur in its single week stand. 'Dodsworth,' starring Walter Huston, opens tonight (11) at the Colonial.

'DeLuxe' enters the Shubert for two weeks starting Feb. 18. On the Plymouth slate are 'Petitcoat Fever' (Dennis King), Feb. 18; 'Hollywood Holiday,' starring Bebe Daniels, Ben Lyon and Skeets Gallagher, Feb. 18; 'Ode to Liberty' (Ina Claire), Feb. 18; 'Merri We Roll Along' (Dennis King), Feb. 18; 'Merri We Roll Along' (Dennis King), Feb. 18; 'Merri We Roll Along' (Dennis King), Feb. 18.

'D'Oyly Carte Company' (Colonial, 4th week)—Final week of Gilbert and Sullivan's 'The Gondoliers.' Could have stayed longer.

'First Legion' (Plymouth, 3d week)—Snowballing every week since its opening Feb. 11. Right time. Big bally will accompany its transfer to the bigger Opera House this week for a run at pop prices.

'The Distast Side' (Shubert, 1st week)—Quiet play for the conservative club. The drawing was not known as 'typical Bostonians.' Satisfactory \$5,500. One more week.

'The Eldest' (Wilbur, 1st week)—Impetuous play with a tragic theme given the go-by. Garnered a sad \$350.

## Philadelphia Wakes Up; Bankhead 'Ram' \$14,000; 'Mary' Sellout \$23,000

Philadelphia, Feb. 11.

A couple of months ago, Philly was perhaps the dulllest spot for the theatre in the country. Right now it's one of the brightest. Hard to tell the reason for the change except that houses are getting a class of bookings and one success has helped another.

Last week's attendance for 'Mary of Scotland' was as expected. Full absolute capacity. Only variation was in standees. Gross for the first week of the David-Mervin Guild show at the Forrest was \$23,000, amount being held down by fact that show is on subscription. This week's sale will be less. The Forum has house for first two weeks and their rates are even further cut. Next week's Forum, should see 'Mary' get its biggest figure and the three week engagement will be something to talk about. Show could undoubtedly stay another fortnight, but won't because of bankhead.

'Rain' picked up as expected as a result of rave notices and word-of-mouth although this revival at the \$10, \$1.10, \$1.85 and the week's new Cincy high for Miss Skinner.

Theatre gets 'Ah, Wilderness' final three days at the same advance sale is tremendous for the full week. 'L'Aiglon' the last half of next week, both at \$2.20 top.

# Too Much Drama on B'way; Grosses Slip Off, but 'Three Men' \$11,000

Broadway's premiere cards have been straight plays. Dramas. Too many straight plays have lent tone of monotony to the list, which may explain why business decidedly dropped. There hasn't been a new musical since before the holidays, and none are due this side of Easter.

Managers have been cognizant of the fact that laugh plays supply the alternative, but few have clicked on last score. Current week will not add gayety, all four entrants being classified as serious drama. Last week three out of four arrivals were comedies, but not good enough—two of the group going off Saturday, which is something of a record.

Exception to the rule is 'Three Men on a Horse,' which in its first full week at the Playhouse got \$11,000, night attendance being close to capacity. Last week's arrivals appear to be just four goose eggs. 'On to Fortune' opened and closed at the Fulton; 'Atts for Loose Moments,' Vanderbilt; 'It's You I Want' at the Cort and 'Field of Miracles,' Mansfield, are in doubt.

Dramatic leader, 'The Petrified Forest,' missed its first three performances last week through the closing of the Playhouse. The gross more than eight G's, takings being \$14,000 in five nights. 'Escape Me Never' held to its \$20,000 gross. 'The Petrified Forest' missed its first three performances last week through the closing of the Playhouse. The gross more than eight G's, takings being \$14,000 in five nights. 'Escape Me Never' held to its \$20,000 gross. 'The Petrified Forest' missed its first three performances last week through the closing of the Playhouse. The gross more than eight G's, takings being \$14,000 in five nights. 'Escape Me Never' held to its \$20,000 gross.

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Monday: 'Cross Ruff' here next week. 'The Petrified Forest' (Golden (3d week) (CD-950-\$3.30)—Engagement pointed well into spring; drawing smart dated with last week's gross estimated at around \$10,000.

'Revenge with Music,' New Amsterdam (10th week) (O-1,717-\$3.30)—'Slipped the most other last week; takings around \$14,000; ticket deal expired next week.

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## 'CHEER' FINE \$26,000 AT FORD'S, BALTIMORE

Baltimore, Feb. 11.

Ford's snagged approximately \$26,000 last week with 'As Thousands Cheer' at \$3.30 top. Legit interest seems on the upward swoop here; so much so that Ford's, dark comedy, has made a very good house office sale for next week's attraction, 'Hollywood Holiday.' At a \$2.20 top, the comedy is expected to be a factor in instilling interest.

No legit here this week. Indie Mary Kay has a week of the Civic Grand Opera Company current at \$1.75 high. Fair advance reported. Dark dates when Ford's houses 'Hollywood Holiday,' the Maryland counters with three performances in two days. \$2.20 top. Green sales at \$2.20 top. Mail orders are pouring in already.

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## Cut-Rating and Ducat Scalping Banned in Germany; Shows Better

Berlin, Feb. 2. Ticket scalping and undercutting by cut-rates has been abolished by order of Dr. Joseph Goebbels as a means of strengthening the position of the German theatre.

Formerly it was possible, by picking up a certificate at the barber's or grocer's and presenting it at the b.o. to get a reduction of from 50% to 75% in the b.o. price almost at any theatre.

Under the new order, tickets at the various agencies managed by department stores, travel offices and newspapers must not be sold at less than the advertised price at the b.o. Neither must a theatre issue any more certificates entitling the holders to reductions.

Rule applies even in the case of clubs or organizations which want to buy large blocks of tickets. Before these blocks can be sold at a reduced price permission must be had from the theatre chamber.

Numerous organizations have been handed together like as the German Radio Listeners' League, which buys up the entire house for a series of performances, giving the tickets to their members at greatly reduced prices. Radio Listeners' have several hundred thousand members and they'll have little trouble getting permission to continue this practice, probably.

New ruling is unlikely to help independent theatres, hard hit by the competition from Nazi party sponsored shows, where no effort is made to get rid of the nut, principal thing being get the people in the house. Shows are getting better, however, and this may save the situation.

Provincial reports having been compiled, it appears that in the year is the best in some time for the German theatres.

Several reasons indicate the remainder of present season will go better, and principal among them is the relaxing of the rigid propaganda rules governing new shows, permitting the producer and author to present a play instead of slovenly staged propaganda.

Another is that the theatregoing public, limited because of the high prices charged, has successfully put across a stay-at-home campaign forcing the government to permit wider choice of vehicles for German actors.

Heading the parade is "Kraich um Jolantette," which reached its 500th performance and is still going strong. At present it looks like the place will be at the Lessee theatre for some time yet, despite the fact the film version has already been released and is playing the nabes.

## JOSY BAKER HELPS KILL A BELGIAN TAX

Paris, Feb. 1. Josephine Baker gets credit for abolition in Belgium of a special tax hitherto paid by all vaude shows.

Musical show in which Miss Baker appeared was asked by the fiscal magists to pay the ground that show didn't have enough plot to stand up as revue or operetta. Miss Baker fought the case and won.

So Finance Minister Glet, at last, after long negotiations, decided to kill the tax and hereafter treat all shows on an equal basis.

## Brussels O. H. Fired

Brussels, Feb. 1. Theatre Lyrique, old opera house, was completely destroyed by fire Saturday morning (430). It was a very old building, entirely built of wood.

Private society had rented hall for dramatic evening and ball, finishing at 5 a.m. Hour and a half later the manager, M. Klein, who lives next door, discovered ballroom full of smoke, and in short time entire building collapsed.

## Musical Guignol

Paris, Feb. 1. Grand Guignol shockers with music are to be staged at a local theatre, not yet chosen, by Francis Perrens, former stage manager of the Gaite Lyrique.

Shock operas will be in two parts, and interviews will be filled by projection of a short film or a lecture on current events.

## Yanks in Moscow

Moscow, Jan. 20.

Marian Anderson, negro contralto from Philadelphia, and Pauline Koser, New York dancer, appeared recently for the first time before Soviet audiences in Leningrad and Moscow, scoring nicely.

Miss Koser is scheduled to dance also in Kharkov, Kiev, Baku and Tiflis.

## OVERTIME HEADACHE NOW UP IN FRANCE

Paris, Feb. 1.

Show business here is protesting against a bill now up in Chamber of Deputies to make all overtime work illegal. Idea of the measure is to cut unemployment by forcing use of new crews by all business required to continue beyond the regular number of hours on any day.

Ministry of Commerce, Theatre Managers' Association, wrote a letter to Minister of Labor Jacques Prentout, pointing out that show business couldn't possibly comply with any such regulation.

"During last rehearsal of a play we are often forced to work longer than we expected," he pointed out. "How could we possibly find new crews equipped to handle this overtime? If we could get them, they wouldn't be familiar with the play in question."

Only way of cutting unemployment in show business, Maury wrote, is to cut taxes on admissions and thus permit expansion of the trade.

## AMSTERDAM'S TRIANON FOLDS; TOO MUCH TAX

The Hague, Jan. 31.

Amsterdam's most famous cafe restaurant, Trianon, has been open 20 years, closed its doors this week. Owing to the depression the clientele had fallen off, but it was the extra-heavy taxes that really forced the closure.

Hotelkeepers association sent in various petitions to the municipality heads, stating that under bad business conditions heavy taxes could not be met, but city fathers wouldn't listen.

## French RCA

(Continued from page 15)

formerly in charge of First National interests locally.

## Significance

Importance of deal goes beyond that of an ordinary hookup for French distribution, for which it involves, on both sides of the Atlantic, subsidiaries of leading radio corporations. This is the first time the Compagnie Generale de Telephonie Sans Fil (French RCA) has gone into the film business, although Radio Cinema, its subsidiary, has been in existence for 10 years.

Function of Radio Cinema up to now has been distribution and installation, as agent of RCA sound apparatus. As such, it has been well-equipped branches throughout the French territory.

With most of the theatres in France seeking the aid of increased demand for studio apparatus, it began to look recently as if this organization were going to waste. Chance to make a logical hookup with RCA, the film distribution angle thus fit right in with the situation. Deal was facilitated by long existing close relations between RCA and the parent French concern.

Moment also seemed propitious for French outfit to go into film biz because of disappearance from field of the Gaumont concern. Gaumont had been manufacturers of apparatus and at the same time distributors and producers of films, as well as theatre owners.

## Combo Big

Radio Cinema will step into the gap as a combined film distributor and equipment house. Production and will start soon, with shorts, and the firm may even produce on its own the two French films which it is bound by the contract to distribute.

We don't own any theatres yet.

## Revivals Predominate in Paris; 'Rose Marie' Among Shows Dug Up

### LIKES SHOW BIZ

London, Feb. 2.

Angels in the West-End are very scarce, and everybody is talking about the new one who has just come to town.

His name is Richard Lumley, and he is a youth of 26 who has been left a legacy. He is in the play business and likes it. His first venture was "The Grease and a Word For It." Ever since the show opened, about nine weeks ago, it has not had a winning week, and to date the youthful backer is reported to have lost about \$20,000 on it.

Despite that, show is being transferred to the Cambridge on a try-for-one policy, with friends predicting it will continue to be a consistent loser.

But Lumley is not perturbed. He likes show business and is ready to pay for what he likes.

## HAGUE CLAMPS DOWN ON FOREIGN TALENT

The Hague, Jan. 31.

First move of the government regarding foreign talent restriction occurred this week, when authorities objected to a tour of a Viennese legit company through Holland during February.

Government spokesmen quoted as saying the demand was already well understood by name companies and under present condition there appeared to be no room for foreign talent without jeopardizing the position of local talent.

## Set Perjury Trial of Hungarian Actresses

Los Angeles, Feb. 11.

Vilma Aknay and Sari Fedak, Hungarian actresses, are indicted on perjury charges in connection with testimony in Miss Aknay's \$250,000 breach of promise complaint against Ernest Vajda, recently dismissed, will go to trial before Judge William C. Drann on March 4.

Miss Aknay's original charges against the Hungarian playwright, now writing for films, declared he had seduced her and then evaded marriage proposals which had resulted in loss of theatrical prestige and engagements in Austria. Both women were the subjects of a long court search after the indictment. They explained their absence on the grounds that they were securing bail before surrender.

said. Along, but that may come later.

Plans are already on foot for acquisition and equipment of a studio by Radio Cinema in its own use. Primarily, this will be used to dub the imported pictures, and firm hopes to be able to compete with existing dubbing studios in the near future. Numerous concerns, in addition to the Radio films, "this will be a first step toward production."

### Background

Compagnie Generale de T.S.F. is a \$1,000,000 outfit, entirely French in capital, backed by Banque de Paris and des Pays Bas, one of the big French financial houses. Alliance with Radio pictures amounts to a big development in local trade and is a Franco-American event which should have repercussions elsewhere.

Local branch of German Tobis is distributor of 1932-34 Radio production. Switch from German to French is also planned.

Local Radio sales branch will continue the distribution, in original language, of pictures which Radio Cinema does not pick for French release. There is no intention to remain "Little Minister" for instance, which is good for a show case, but which can't be used in a French version.

'Gay Divorcee,' already a smash in original version, is here. 'Wednesday's Child' are the first choices of Radio Cinema.

Paris, Feb. 1. Revivals are the order of the day in French legit.

After the Christmas boom, the Paris stage sank into a new calm, and managers are again reluctant to take chances on new pieces. A number of good manuscripts are hanging around in producers' offices waiting for a chance, whereas all that actually get put on are those which have proved their drawing capacity here or elsewhere in the past.

Most notable is case of 'Rose-Marie,' which ran a couple of years at the Mogador and which will go back to that house in a few weeks. The Isola Brothers tried putting on a new French operetta, 'Mandrin,' with disastrous results, and that experiment is all over.

The Porte St. Martin, which has had tough luck with one operetta after another this season, is falling back on Franz Lehár and putting on his 'Tzarsvitch' under the French title of 'Reve d'un Soir' ('Dream of a Night'). The Trianon Lyrique is coming right back at the Porte with a revival of Oscar Strauss' 'Waltz Dream.'

Among the legit revivals are Jacques Deval's 'Etienne,' with Jacques Baudry, Paul Bernard and Marcelle Genat; the St. Georges, and Deval's 'Tovaritch,' with Marcel Simon, at the Theatre de Paris. They are making up for the lack of success of the two new plays with Deval's most hit this year. The Varieties has dug up an old Louis Verneuil comedy, 'Mme. Vidal's Lover,' in which Elvire Popesco, original star of 'Tovaritch,' has the lead.

'La Crevue,' with Josephine Baker, which is about the biggest legit grosser here now, is also a revival, although it's a new version. Same may be said for 'As You Like It,' which has been all season at the Atelier, and 'Othello,' which Louis Jouvet will soon put on at Athenes. Of new plays, Bernstein's 'L'Esprit' ('Hope') continues to lead. Run of the Sacha Guitry success 'New Testament' at the Madeleine, is about finished. 'Prosper' is still strong at the Montparnasse. Other long runs are 'Barrettes,' 'Constant Nymph' and 'Femme Libre.' Besides 'Credo,' one outstanding musical success remains 'Tol, c'est Mo!' ('You're Me') at Bouffes.

## U. S. ACTS HEAD UNIT FOR TOUR IN GERMANY

London, Feb. 2.

Germany is going for a crazy show idea. Line-up of Americana is due to open in one at the Scala, Berlin, for month of March.

Includes Joe Frisco, Joe Termini, Violet Ray and Norman, Devito and Denny, Melissa Maeno (formerly 'Dusty' Des Arrols act), Five Cleveres, George Prentiss and the Hollywood Four. In the case of the last two they join the outfit four days after the opening, as they are not available till the current Palladium show closes March 2.

Entire outfit-stays at the Scala for one month, and if show is a hit, as anticipated, will be held over. Then to the Hansa, Hamburg, followed by a fortnight at Dusseldorf.

## Dance Festival for Moscow Next Summer

Moscow, Jan. 20.

International dance festival to be held in Moscow this summer.

Program will include a display of the best examples of classical ballet, folk dances and modern Soviet ballet. Will also include performances by foreign dancers.

A special organization under the auspices of the commissariat of education has been set up to complete arrangements. Organizing committee includes a number of prominent Soviet artists and representatives of the ballet, including Marina Semyonova, primo-ballerina of the Bolshoi theatre.

### CUT-RATE FRANCES

Suggest Cheaper Rate for Foreigners to Stimulate Tourism.

Paris, Feb. 2. Tourist-frances sold abroad at 20 to the dollar, instead of the normal rate of 16, are advocated by Henri Clero, deputy from the Alps tourist district and film trade leader, in a bill placed before the Chamber of Deputies. Chain of de luxe hotels is supporting the project.

But since banks have no cheap francs to sell, someone will have to foot bill. Clero suggests that the French government propagate fund pay half of cost of reduction, other half to be raised by special tax on hotels and transport organizations, which will benefit from revival of touring in France that cut rate francs are expected to stimulate.

## MEXICO GIVES LEGIT HEALTHY TAX RELIEF

Mexico City, Feb. 2.

Struggling legit, which gave signs of becoming extinct here because of the increasing popularity of cinema among other things, has at last been tossed a life belt. Presidential decree exempts owners and operators of buildings conditioned as legit theatres and permanently destined to the presentation of such theatrical entertainments as dramas, comedies, operas, operettas, musical comedies, revues, ballets, concerts, etc., from payment of the predial tax.

Cinemas and stage houses which exhibit pils as part of their regular program are not included in this exemption.

Legit owners and operators must pledge themselves to present only entertainments that are essentially artistic and clean, however. House owners and operators who fail to live up to this pledge will lose tax exemption right.

## Egypt Studies Project For Government Troupe

Cairo, Jan. 26.

Ministry of Education has decided to send a mission to Europe for the study of theatrical art, with a view to laying down a new policy which will conform to the creation of a government troupe. Mission will comprise six members to be chosen from among the foremost candidates, who will pass a competitive examination and fulfill the necessary conditions and formalities required. Period of study will be three years.

## Flemming in Madrid

Madrid, Jan. 31.

Harry Flemming, colored dancer and ork leader, is drawing well at the Lido, lately, with his own musical unit, believed to be the first to play a Spanish night club. Flemming keeps the act moving at a winning pace by personally directing his combo and doing some dancing on the side. Unit consists of Dorian ballet, German dancers; Elsie Bayron, hotcha colored wiggler; Vitaly-Orive, comedians; Carmen Mayer and Tony Triana, tap dancers.

Flemming and his act set for an Italian tour after which he's going to take up bullfighting on a minor scale, leading the Lapsiera comic bullfight band. Has a six months' contract.

## 39 Legit Houses, 44 Cinemas in Moscow

Moscow, Jan. 20.

During 1934 the 39 Moscow theatres gave 5,878 performances, attended by 4,573,000 spectators. Total seating capacity of the Moscow theatres is over 35,000.

Approximately 2,000,000 people a month attend the 44 Moscow cinemas. An almost equal number see film showings in workers' clubs.



Col. Authors' Elections

Colorado Authors League elected Miss Olga Edith Finkle, of Denver, president at the annual board meeting; John T. Bartlett, of Boulder, was elected v. p., and Edwin Hoover, secretary-treasurer.

With these officers on the board will be Glen Yore, Herbert White, Mrs. Fred Ruble, Arthur Carhart, Blanche Y. MacNeal, C. Wiles Hallock, Mrs. Ann Haladay and Harry Adler.

Pubs Taking More Chances

Improved book biz has led the book publishers to take more chances on first novels than in previous years. Few seasons ago scribblers with first novels found the editors difficult publishers preferred to minimize the gambling element by publishing only the works of established authors.

Coming lists reveal an unusually large number of first novels, as for example Simon & Schuster, with a limited fiction list, has no less than five first novels set for spring publication. Farrar & Rinehart has six first novels on its spring list.

Phelan Awards '35 Judges

Kathleen Norris, Charles Caldwell Doble and Prof. Benjamin H. Lehman, of the University of California, three of that State's foremost literary figures, have been named the judges for this year's Phelan Awards for best fiction. Art. Prizes provide two fellowships of \$1,000 each to promising native-born Californians between the ages of 20 and 30.

Prize winners were provided for under the terms of a bequest by the late Senator James D. Phelan. Open only to writers of fiction, biography, historical narrative and verse narrative.

New Mag in Gleeve

Towne, Clipper, new monthly mag., is being brought out in Cleveland in March with a group of business men as its angels. Sheet, selling for a quarter, is stressing its condensed literary style.

Staff includes Tom Manning, WTAM announcer, as sports editor; Howard Inches, ex-actor and producer, as associate editor and the atypical critic; Gene Carr, program director of WGAR, as radio editor; and Max, as general editor; Mrs. Kermod F. Gill, garden columnist.

Dell Mags Expand

First of the chain publishers to effect the reported imminent increase in mag bulk is Dell. Adding from 10 to 16 pages to each of a number of its publications, and likely that competitive mags will immediately follow suit.

Modern Romances, Modern Crime and Popular Science, of the Dell group, will be 16 pages thicker with the next issue. Radio Stars, of the same chain, will be 16 pages bigger.

Fawcett Appeal in Aboycence

Not decided as yet but the Fawcett Publications whether it will appeal the decision granted the mag; Popular Mechanics, enjoining Fawcett from using the complete title of its mag, Modern Mechanics and inventions. Injunction forbids Fawcett from using either 'mechanics' or 'mechanix' in the title.

Decree has been suspended for the time being to enable Fawcett to appeal.

Thorndyke Joins A-C

Edward L. Thorndyke joins Appleton-Century with a new idea in children's books. Firm will publish the volumes away from its regular series of books under the imprint of the Thorndyke Library.

Thorndyke starts off with six volumes some time next month. Apart from his new editorial duties, Thorndyke is a prof. at Columbia University.

Fly Buys D-D Mag

Harvey K. Fly, one of MacKinnon-Fly, back in the publishing biz with the mag, Star Novels Magazine, which he will edit from Doubleday, Doran. Fly intends to issue Star Novels Magazine every other month for the present. Later he hopes to restore it to a monthly.

Plans New Smalls

New little mag is planned by James T. Richmond, who is the literary mentor of Northern Arkansas. He will call it Wilderness. Richmond will edit as well as publish, with Max Stafford Milburn as associate.

Reich Exchange

Kendall & Sharp has finally figured out how to get a return from Germany. Reich's book, 'Murder in Bernburg' was published there and went into three editions, but laws there wouldn't allow exporting the coin.

Now an arrangement has been made whereby the German publisher will send the American 100 cases of Rhine wine and call the whole thing off.

Lift Ban On Prison Scribes

New ruling at San Quentin, Cal., prison lifts the ban on inmates mailing out manuscripts to publishers and film producers. Figured that it will encourage prisoners to try their hand at scribbling and at the same time keep their minds occupied.

Literary group at the prison has many writers, top among them being Ernest Booth, a lifer, who was contributor to national mags and author of 'Ladies of the Big House', 'Ladies of the Mob', and 'Stealing Through Life.'

Agents Turn Pubs

Thomas F. Kyle and M. Bruce Howard, who are selling agents for a number of book publishers both here and abroad, making plans to go in for publishing on their own.

They have the first book set for publication under their own imprint. It's 'Solomon Levi' by Claudius Gregory.

Cheney Resigns

O. H. Cheney, who made that economic survey of the book industry a few years ago for the National Association of Book Publishers, has resigned as head of the Book Manufacturers' Institute. Reported that dissatisfaction with some aspects of the book manufacturers' code prompted the resignation.

Has been succeeded by J. Raymond Tiffany, an attorney and new to the industry.

Looking 'Em Over

Margaret Fishback, New Yorker poet, and Macy's advertising writer, in company with Alice Hughes, N. Y. American's store-and-fashion columnist, are once-over Hollywood for a fortnight.

Miss Hughes will do a series on stars and stores while on the Coast, but it's chiefly a vacation trip.

Smalley on Coast

Jack Smalley, former managing editor for the Fastest group of film fan magazines, is the new western manager of the Hollywood office of the organization. J. Eugene Christian, western editor of Screen Play magazine, Hollywood, also assumes management of Screen Book.

Wining Up the Tipplers

Couple of new specialty publishers to get out some printings to do drinking. One is the Art Publishing Co. which will issue books on wines and liquor. Other is the Cocktail Publishing Co., formed by William H. Krulwich and Louis E. Prime, to issue a new mag called Cocktail Hour.

Peterson Connects

West F. Peterson, who stepped out recently as editor of Real Detective Magazine, has joined George T. Delacorte, Jr., to edit a new mag for him to be called Inside Detective Magazine.

It will make its initial appearance in April.

Signing Up for Free School

Registration has begun for the various certificate subjects taught at the State Free School of the Theatre, Radio and Screen. Subjects include playwrighting, journalism, scenario writing and short story writing.

Technical Mag On Clubs

Charles Spencer Hart and associates, who publish Elixir Magazine, which is considerably more than a house organ for the order, are planning a new periodical which they will call Club Magazine, which will cover club management and operation.

Songs, Too

Beth Brown blossoms out as a songwriter with 'Will You Be Mine' which Gustav Klemm has set to music. Published by Carl Fischer.

WB-FAR 20Q Prize

First time for a picture company to get involved in a new book contest has been set by Warners in conjunction with Farrar & Rinehart. Will be a new novel contest with \$20,000 as a prize. Contest starts on April 30 and is open for one year after that, with the prize money taking in an option for film production.

Farrar & Rinehart has never previously sponsored a new fiction contest. Tieup with Warners comes as a result of amity between the two firms started with WB purchase and F&R aid in picturization of 'Anthony Adverse.'

Hartney's Plans

Popular Publications, 'In going into the book publishing field as Hartney Press will not publish pulp magazine serials in book form. Hartney Press will restrict itself to actual book publication with no attention to serials unless one happens to come along that has book timber. Popular Publications publishes no serials even in its mags. Hartney says it will publish exactly the same kind of books as other pub. with the exception, at least for the present, it will limit itself to romance, mystery and western yarns.

I. C. U. Dormant

Members of the Senate's Foreign Relations Committee in Washington today (11) indicated that International Copyright Union adherence is a dead issue at this session. Expecting to discuss treaty this week, committee men said no new hearings contemplated and saw little need of immediate action.

Sub-committee which held brief hearings last session failed to accomplish anything, and nothing to submit to full group.

Bokelund's New Spot

Chester Bokelund upset to post of national advertising manager of the N. Y. Post under Walter A. Young, advertising director. Bokelund joined the Post last fall, coming from Philadelphia.

His background includes advertising posts with Macdonald, advertising manager for Associated Farm Papers.

Spotlight Out Soon

That new mag on national affairs, the J. M. O'Farrell is publishing, scheduled to make its first appearance next week. A monthly, it hopes to do some debunking as well as interpret topical events.

Hoffman Adds Two

Lincoln-Hoffman adding a couple of new mags to his string, Gangster Magazine, former is the first new gangster mag in some time. Hoffman editing both mags himself.

Toledo Guild's Ambish

The Toledo Newspaper Guild is considering the presentation of the play 'Blessed Event.' The big success of 'Trib Fudge' is being used as a charity play is the inducement.

CHATTER

Thrd printing for 'Glorious Fool.' Julian Huxley in New York for a visit.

A. J. Cronin coming in from England.

Mazo de la Roche doing another Jalna novel.

'Paul Gellio' back from a 'Eu-

The Octavus Roy Cohens in from Bumm-in'ham.

Second printing for 'Before the Dawn of History.'

Clarence Buddington Kelland vacationing in Florida.

James D. Hart doing a blog of Richard Henry Dana.

Handrick Van Loon's new book, 'Ship's' dated for Feb. 31.

Sappho Henderson Britt is Jack Woodford under another alias.

Romerset Maughan's niece, Diana Maughan, will write a novel.

Dr. Lucy Hunt doing a blog of James Abbott McNeill Whistler.

Stanton Zweig working on a biography of Mary, Queen of Scots.

Eddie Carr has a piece about Hollywood in book.

Helen Morgenthau Fox doing a book on the life of Andre Le Notre.

Michael Sadler, British publisher, here to close for some American scripts.

Annual artists' and writers' golf

Best Sellers

Best Sellers for the week ending Feb. 9, as reported by the American News Co., Inc.

Fiction	
'Helen's My Destination' (\$2.50)	By Thornton Wilder
'House Divided' (\$2.00)	By Pearl S. Buck
'Heaven High, Hell Deep' (\$2.50)	By Norman Archibald
'Forty Days of Musa Dagh' (\$3.00)	By Franz Werfel
'Via Mala' (\$2.50)	By John Knittel
'Another Caesar' (\$3.00)	By Alfred Neumann
Non-Fiction	
'While Rome Burns' (\$2.75)	By Alexander Woolcott
'Why Not Try God' (\$1.00)	By Mary Pickford
'American Diplomatic Game' (\$3.00)	By Drew Pearson and Constantine Brown
'Skin Deep' (\$2.00)	By M. C. Phillips
'100,000 Guinea Pigs' (\$2.00)	By Arthur Kallet and F. Schlink
'Personal History' (\$3.00)	Vincent Sheean

tournament, eighth, at Palm Beach currently.

Harrison Smith, the publisher, back after a visit with William Faulkner.

Sixth printing for 'Forty Days of Musa Dagh' and that makes it 124,000 copies.

Walter Duranty back to Moscow after arranging for the publication of a book.

Dodd, Mead has a new mystery novel from Edith Christie, 'Death in the Air.'

Marie Dressler's blog, 'My Own Story,' will be printed in Braille for the blind.

Edith Wharton's new novel, now in work, will be entitled 'The Children of Men.'

James Agate, London drama critic, has completed his autobiography, which he calls 'Ego.'

Scandinavian, German and Spanish versions of 'Todd Downing's' 'The Cat Screams.'

'Whispered Norris' new novel, 'Whisper in Love' was her 50th book to be published.

Samuel Hopkins Adams expects to get out of the hosp— and that plaster cast—soon.

William MacLeod Raine, one of the foremost scribblers of Western tales, is an Englishman.

Second edit for Cornelius Vanderbilt, Jr.'s 'Jawwrel to Fifth Avenue' before publication.

Doubleday-Doran will do Thyra Samter Winslow's new book, 'My Own, My Native Land.'

Bob Brown now on the teaching staff of Commonwealth College, labor school, at Mass. Ark.

Kathleen Knight, when she isn't writing novels for Doubleday-Doran, is a publicity woman.

Horton H. Leath has quit the advertising business to join the editorial staff of The New Yorker.

Jaquelin La Farge, aunt of Oliver La Farge, makes her debut as a novelist soon with 'Forever-After.'

Trentwell Mason White out as head of Lathrop, Lee & Shepard, the Boston book firm. No successor as yet.

J. B. Matthews, co-author of 'The Purple Plunderer' has had 21 books published in the Malay language.

Arthur Cohn has been elevated to v. p. and manager of the contract department of Collier Advertising Service.

Edward J. O'Brien reads about 8,000 short stories a year to make the selections for his annual anthologies.

Good Housekeeping starting a humor page with the March issue and with a first piece by Frank Sullivan.

Doubleday-Doran has taken 'Better Than Dying,' first novel by Robert Flaherty, Chicago newspaperman.

New addition to the ranks of the book publishers is Achille J. St. Onge, now laying plans for a start this spring.

Theodore Pratt says Palm Beach is where they advertise in Europe for the winter but haven't got. He's there finishing a new book.

Eschasy as companion publication to the Police Gazette, Francis M. Basquin is to begin publication soon of the Fireman's Journal.

Arnold Gingrich, editor of Esquire, in town for the publication of his novel, talking before scribbler groups on how to best scribble.

Gregory Dickson, former Columbia Pictures p. a., has joined King Features as a feature writer, part of his duties consisting of a film page.

Farrar & Rinehart have those new pulp writers from Napoleon to Marie Louise for book

publication after they have been serialized.

Joe Malatesta has lotted down a foreigner's impression of Hollywood in his tome, 'Incognito in Hollywood,' which is being published in four languages.

Newboys after they're not selling as many dailies—so much Hauptmann stuff in 'em, they state, that people state there's nothing left for them to read.

Unusual pub. being given by Appleton-Century to Laura E. Richards on her newest book, 'Samuel Gridley Howe's' biography, to be published Feb. 27, 'Same day of publication' with Mark Miss Richards' 85th birthday.

Current novelists are lopping off their last names to use the foreparts as pseudonyms for their books. One is Richmond Crompton, who is really Richmond Crompton Lambar. Another is Claude Houghton, actually Claude Houghton Oldfield.

Book Reviews

Good and Bad

S. N. Behrman has always been one of the playwrights whose scripts read at least as well as they play. That is even more true of his newest play, 'Rain From Heaven' (Random House, \$2), than it was of his earlier pieces. Holds very little action and much bright and sparkling conversation, and when it was produced by the Guild season wrote up some of the critics thought it was perhaps a shade too talky. It's easily the finest example of bed-lamp drama, however, this season.

'The Pease Never,' by Margaret Kennedy (Doubleday-Doran, \$1.75), is almost exactly the other way around. In its current New York production (co-incidentally, it is also a Guild show) the enormous title is getting an almost constant aimed-at-the-stars. Elmer Berger, in reading it, it becomes even more obvious that it is a poor play script.

Mistitled

Grace Perkins made a poor selection of titles for her 'Dorcas' (Farrar & Rinehart, \$2). Title is apt and explanatory, but the trouble is that it suggests one of those flash redheads rather than the decent book it is.

It's a graphic, carefully considered story of a self-made girl, who turns into a self-made bankrupt in the end to regain her husband. In between the moment she is introduced to the reader and a somewhat simultaneously, to her final abdication from the financial throne, Jane McLean is the type of modern woman who dominates all who encounter her. In 'Fly' she has a breakdown; everyone of her family go on their own, doing what they instead of she wants, and for the time everyone is happy. It's a well written story of today.

A Sleep-Killer

Horror stories are quite apart from whodunits and, generally, haven't as much room. Joseph Shearing seems to be an expert at them and manages to turn them out with more general satisfaction than most people. His newest is 'Moss Rose' (Smith and Haas; \$2), and it is, for that kind of book, a honey.

A man has committed a murder and produced an unshakable alibi, being acquitted. But a second actress knows the truth and can prove it. So she blackmails him in a most unusual way and with unusual and exciting results. Only for those who sleep soundly, no matter what. Not picture material.













# Hollywood

Ben Getz back in town.  
Martin Flavin down from Carmel.  
Joe Connolly of King Features in town.  
Paul Muni's laid up with colds.  
Preston Sturges living on his wits.  
Ernst Lubitch going for milder clairs.  
Guy Kibbe gaynor back from eastern vacation.  
Walter Stern recovering from operation.  
Guy Kibbe going north on piscatorial biz.  
Flu hit Hal Roach twice within three weeks.  
Harrison Carroll got wobbly from a flu attack.  
Bob Leonard ticked on his way to the studio.  
Frank Brando east to sit in on labor confabs.  
Willie Hendry still limping on that bum hoof.  
Charles Irwin likes Florida, but he's back in Cal.  
Carmel Myers air-guested on the Campbell souper.  
Ben Stoltz quits hospital after appendix hitting.  
J. Milstein packing up for a Honolulu vacash.  
Options on 14 student players taken up by Fox.  
Ralph Graves writing an original for Mary Pickford.  
Guy Kibbe's back after two weeks in New York.  
Turnout of 200 at Clover Club party to Alice Faye.  
The Irving Fishers (Roasia Dolly) hid eastward.  
Frank Whiteback smoking a pipe with a chamber pot.  
Fox decides against a new film name for Rita Canino.  
Mayfair Club returns to Beverly Wilshire for next blinding.  
Jack Robbins hosted a stat feed honoring Victor Barville.  
Walter Stern over his operation and leaving hosp. in week.  
Stepin Fetchit on a tour of the country to renew his accent.  
Eddie Dempsey arriving up and down the coast for Leo Felt.  
Joe Hoffman, N. Y. trade paper seller, joined Fox studio group.  
Swank offices for Chuck Reisner and Jack Cummings at Metro.  
Bill Pierce now associated with Herbert Volpert in pub. adv. field.  
Conway Tearle, Pauline Lord and Ben Getz teamed in on the Chief.  
Leo Morrissey's a stage dinner for Lt. Gov. George W. Hatfield.  
Alexander Marks, of Malcolm Laboratories, here from New York.  
Winfield Shrader held open house at his new ranch, "Hidden Valley".  
Elizabeth Sawyer now fan mag columnist for Columbia publicity dept.  
Dimitri Plonkin preparing music for Metro's "Life of Johann Strauss".  
Jack Otterson, head of Fox art department, on crutches with a bum leg.  
James Rorty here to write another story on the film colony for The Nation.  
Gus Van, here for a rest, etc., is likely to go into Metro's "Broadway Melody".  
Barry, six-year-old pride of William Gargan, given test tending at Warner's.  
Helen Woods, beauty winner from Tennessee, gets stock contract at Warner's.  
Sammy Lee auditioned 50 gals for dance numbers in Radio's "Hooray for Love".  
For-sale sign goes up on June Knott's ranch on the San Fernando valley.  
Gus Dembling joined Al Kingston agency after nine years with Central Casting.  
Jack Hardy goes from Col's publicity department to a similar spot at Warner's.  
Charles Laughton most enthusiastic person at the "Ruggies of Red Gap" preview.  
Cresson Smith, RKO western sales manager, coming here via Panama boat.  
Arthur Eddick, a stage dir., back up for sale. Likes eastern summers best.  
Michael Pix in last of Henry Duff's presentation of "Small Miracle" at the El Capitan.  
N. A. McKay, business manager for Mary Pickford, leaving, nicely after operation.  
Ellie Wilkins, writers' Guild assistant sec. back from her brother's funeral in N. Y.  
Max Baer at Paramount squaring away for "Federal Dick", his next belated conquest.  
Frank Albertson takes aida cast on his leg to go into cast of "Doubting Thomas" at Fox.  
Strained back from ailing sustained by Jack Woody turned out to be an injured spine.  
Hattie Carnegie, New York modiste, and wife of Major John Zanft, to open gown shop here.  
Dr. L. Eckler, production w. p. at Adair-Ansoo factory in Birmingham, here for two weeks.  
Al Levy, general manager of Paramount, moving into new world of new electrical equipment.  
Rex Lipton, 17-year-old son of Lew Lipton, wrote the music for the new song, "Callin' on the Blues".  
Paul Savoy, vet Chicago vaude booker, lining up with Pantages agency as booker for the new Al-Nalia Simpson pinch-biting as

general manager of Selznick-Joyce while Sig Marcus is on vacash.  
"Pitration Talk" adjunct to Biltmore Bowl getting teaser campaign, although no tieup with picture.  
S. Barrett McCormick and Jack Pegler took wing for the east Friday (8) after two weeks looking around.  
Fred Day, of London music publishing firm of Francis, Day & Hunter, in town on a three-week look around.  
New York Theatre Guild wants Rouben Mamoulian to direct new opera version of "Porgy" in September.  
Technicolor crew back from Guatemala and Mexico where James Fitzpatrick shot footage for three Traveltalks.  
Leroy Prinz gets the KXN bungalow on the Paramount lot for dance headquarters. Building has three rehearsal halls.  
Arthur Bruce, New York photo, here on assignment to do series of portraits of screen names in natural color for "Variety".  
Cope nabbed a trio of kids who for months had been pilfering accessories from cars parked near the El Stater.  
Howard Eatabrook will preside at the Academy Awards banquet, dubbing for Les. Frank Lloyd, filming "Mystery on the Bounty" at Tahiti.  
David Selznick gets a gold medal from Parents Magazine for producing "David Copperfield", dubbed by publication as best picture of the year.  
Musicians' Club of Los Angeles, Local 47, American Federation of Musicians, will hold its annual election of directors March 7. J. W. Gillette, studio contact of the union, presently is head of the social angle of the union.

# Baltimore

By Albert Schaper, Jr.  
Guy Wonders in and out.  
Eddie Sherwood ailed with grippe.  
Johnny Rayette's one-year-old son died.  
Al Spink in advance of "Hollywood".  
Frank Durkee breaking ground for 1,800-seat house.  
In Abraham's Basin to be produced here by local Negro theatre.  
Personnel address system may be installed in the Maryland House of Delegates shortly.  
Head-master at the Stanley, a Peabody stude, is in cast of "Drunkard" at the Play-Arts Guild.  
Izzy Rappaport's seven-year-old son visits the office of the Hipp every Sunday afternoon for a couple of weeks while the fraud and which he tapers off by laying out some aida. Larry Schanberger's doctor is ailing on hand at Keating's on Saturdays, putting the type-writer through its paces. And it won't be long before the Saxton Co. will be actually jumping the affairs at the Century.

# Chicago

Preston Sellers now organ-pumping at WCFM.  
Michael Todd's New York Chicago commuter.  
Leo Salkin opening a vaude theatre in Chicago.  
Billy Diamond around with a million-dollar tan.  
Hinda Wausau has joined the "Passing Revue" unit.  
Irving Tishman and Jimmy O'Neal getting acquainted with the loop all over again.  
Dave Lipton got out of a plane and took a rattler for the remainder of his trip east.  
Shanader's came back in the loop after an eight-week nitery route from Louisville to Denver.  
A. B. Marcus a bachelor for a couple of weeks while the fraud and sister-in-law head for Boston to see the folks.

# Prague

By Edward T. Heyn  
Lonsdale's comedy, "The Cat Came Back," at the New German Theatre.  
Pierre Monteux, French music conductor, conducting the Czech Philharmonic orchestra.  
Joel Schwartz, opera singer, formerly in Berlin, engaged at the New German Theatre for the next season.  
German Theatre presenting "Thirteen at a Table," new play by Rudolf Eber, brother of the director of the Prague German Theatre.  
"Marie Antoinette" is the title of an interesting play at the Stauds, subsidiary house of the Czech National Theatre. Authors of the drama Jozs Goetova, wife of Dr. Goetz, dramatic of the National Theatre.

# Cleveland

By Glenn C. Pullen  
Variety Club's benefit show at Hipp drew \$1,500.  
Archie Bell, dean of cricks, took ill to receive visitors.  
Perry visiting her ex-hubby, Winsor French.  
Abe Kramer, exhib, and wife taking Mediterranean cruise.  
City Council considering legalizing bookies to increase revenue.  
Tommy Tucker's ork into Statler.  
Follows Charles Stenroos, who goes to Lotus Gardens.  
George Duffy's ork moved into Mayfair, succeeding Joe Can-Dullo who is jumping into indie vaude project.  
Benjamin M. Kaye, New York lawyer-dramatist, spent week here watching Play House premiers his "On Stage".  
William F. McDermott, show crick for Plain Dealer, taking southern safari for series of yarns on economics and Huey Long.  
Beth of Mzenski, new Russ opera, shocked society draggers so much that show did SRO his.

# Panama

By Ben Drew  
Cole Porter, song writer, a visitor. Ben Connors has a brand new divorce.  
Mary Lee Carlton, dancer, is at the Atlantic.  
Mary Lee Kelley's place in Colon is still closed.  
Charlotte Cottrell left for Springs in April.  
Paul Muni and Mrs. Muni spent Xmas in Panama.  
Beth Guardia, local girl, has gone to Jamaica to sing.  
Panama National opera will open in Feb. with "The Merry Widow".  
Eddy Fottrell dead. For years he has worked in the cabarets and clubs of Panama.  
Xmas in Panama, native dancer, tried suicide. Rushed to the hospital, she was saved.  
Charlotte Cottrell left the Moulin Rouge cabaret to get married New Year's Eve.  
Ray Emery has sold her beauty shop. Ill health forcing her to leave Panama for good.  
Dore Kay skating act came over from the Atlantic to Colon as special attraction at the El Raucha.  
Thunder on the Border is the new Mason Wright show. Opening at the Fort Clayton theatre.  
Leo Malchoyke has opened the Imperial theatre with all the latest improvement in sound equipment.

# New Haven

By Harold M. Bone  
Eddie Weaver learning accordion. "As Thousands Cheer" set for Shubert Feb. 22.  
March of Time drew local editorial comment.  
Sam Goodman doesn't believe in payola.  
Bijou personnel basketball team cleaning up all-opposh.  
Frank Hinkle, actor, as theatre mgr. and athletic coach.  
Arthur Hoyt directing Light Opera Guild's "Red Mill", Feb. 25-28.  
Yale first used Ben (Whiskers) Cohen's amateur night to initiate members.  
McLing Fitz, amateur nites gives Harry Shaw a weekly chance to let off steam.  
Marchesa Lillian Gerini (S. Z. Polli's daughter) next will act family visit.  
Halsed Welles to direct Yale Drama's "The Production of 'Yellow Jacket'".  
J. Edward Rogers will direct Brantford Players in New Haven production of "The Merchant of Venice".  
Harry Berman buxman-holidays all Shubert shows when he isn't in the pack himself.  
Mother of Al Fonzal died suddenly while boys were playing football.  
Roger Sherman.  
State of Conn. arence Lee, local stage hand, suing for damages in his accidental death.  
Little Theatre of New Haven.  
Pirandello play, Feb. 16-19. Prof. Jack Crawford directing.

# Omaha

By John Quinn  
Talk of forming a Variety Club getting thicker.  
Town theatre treating the kids to a Mickey Mouse matinee with candy bar.  
Old Town Hall in Rome hotel ballroom going into third week of "Ten Nights in a Barroom".  
Bill Burnsted, out of the Kansas City U. A. publicity office, in to

work with Charlie Schlaifer on "Clive of India".  
Creighton Uni-Dramatic Club pushing policy into production instead of "Lydia", original by co-ed Mary Ellen Leary.  
Ralph Goldberg and frau dicking the weather factor of business and pleasure in Hollywood for a couple of months.  
Henry Ford dropped off at home in Council Bluffs before going to Hollywood to play opposite Janet Gaynor in "Farmer Takes a Wife".

# Pittsburgh

By Hal Cohen  
E. Haden Green in from Baltimore for a short visit.  
Sally Gay has joined up with Charlie Davis' outfit as soloist.  
Belle Tiffany, formerly of the Tiffany Twins, now doing a single.  
Roosevelt Hotel opening a night club with George Flint and his ork.  
Art Levy due back in day or so with his annual Florida mid-winter vacation.  
Ruth Miller will stage ensembles in Pitt Gap and Gown show this year.  
New Bell Club tosses a dinner for H. Howell Davis, new head of state censor board.  
Donna and Darrell now doing their ballroom stuff at the Mayfair in Cleveland.  
Eva Rose Sitt and Suzanne Rose have switched from the Nixon Cafe to Munko Box.  
Mark Schaeffer in town barking the wares of the D'Oyly Carte Opera Company.  
Mrs. Mike Cullen underwent a major operation in Washington hospital last week.  
Nancy Metcalfe, local saasety gal, now appearing under the acts at George Sharp's "Drunkard".  
Christy Wilbert to Boston for publicity post under H. M. Addison, local Austin in Washington hospital last week.  
Danny Rogers, the dancing new-boy, doubling between Joe Hiller's nitery and Alvin this week.  
A. J. Seidman, wife of WB exploitation chief, back after spending week in New York with her alling mother.

# Milwaukee

Louis Orlove to build 900-seater.  
Percy Burton in advance of Leontovitch engagement.  
Light fire in the bowels of the National theatre (nabe) caused 400 to flee.  
Night club owners mournful over biz drops. Ask extension of 12:30 a. m. curfew.  
Gayety has closed for second time this season, but burlesques under Morris Zaidens lastig about month.  
Trudy Pickering, former chorus producer, is spending Mother's Day to Oriental, Chicago, in similar job.  
Delegation headed by Glenn Kalkbrenner, president of the local protectionist union, attended funeral of Tom Maloy in Chicago over last week-end.

# News of the Dailies

(Continued from page 76)  
burlesque figure for a decade, who died of a heart attack. Remains were cremated.  
To satisfy judgment of \$257 against Jack Muhlhill, 52 shares of stock were sold by L.A. sheriff for \$100.  
Eva Farrell, N.Y. actress, reported to police she lost a diamond valued at \$500 while taking a screen test at \$500. Fredric Stearns gets court approval of another week on his Metro contract, to make up for time taken out by a contract and produced their own actor also allowed \$50 a week to handle his fan mail.  
William van der Smith, reputed Beverly Hills millionaire, who figured in the Albert Regell-Eine Gregory divorce-proceedings, named in-similar case, his wife.  
Fritz Lang, German director under contract at Metro, received first papers of American citizenship.  
Frederic Stearns, film writer, will make court fight for share of \$230,000 yielded to German charities by his cousin, Alphonse Stearns.  
Louella Parsons makes tearful plea to land job for Albert Valentino, brother of Rudolph, who is said to be without funds or work. He is a bookkeeper.  
Universal is named defendant in suit for \$50,000 filed by John Hix, creator of "Strange Art Is May Seem" syndicated strip, alleging that the studio failed to go through with a contract and produced their own oddity under a similar name.  
Mae Packer, dancer, settled her \$20,000 suit against Fred Selbstian, night club operator, for an injury sustained in a floor show.

# Miami

Ed Sullivan feted.  
Embassy club shuttered.  
Mae West due in for a vacash.  
Mildred Twaen resting on the sands.  
Cline and Dunn in at the Hangar atop the Fleetwood hotel.  
Wally Vernon replaces Rae Bourbon as m.c. at Aubrey's Lagoon.  
Joe Post due in for a drummer, entertaining at Billmore tea dances.  
Harry Richman opened at Merit Wertheimer's Beach and Tennis Club.  
Barney Gallant out at Ira's Supper club. Ira Levy is running the spot.  
Irving Rose being featured in the Astor room of the Hollywood Beach hotel.  
New Billy Arnold and Noel Sherman show opened at Frolies Saturday (9).  
Club de la Paix, informal rendezvous, new addition to Roney Plaza hotel.  
Angel Canino, Spanish dancer, includes Miami in his tour of principal U.S. cities.  
Clementine's ork out of Beautiful Devilville. Now filling engagement at the Biscayne Kennel club.  
Harvey Bell in of the road to Astor. Learning in entertaining customers at the Silver Slipper club.  
Joe Adams, president of the Biscayne Kennel club, arrested by Federal agents for harboring Public Enemy No. 1, Karpis.  
New Bell Club at the Club Bagdad, died of pneumonia after 35 hours' illness. Brothers Morton and Jodie, started in his sudden passing, carried on with the show.

# Palm Springs

Sam Mintz here ducking sinus.  
Greta Garbo supposed to be at Indio.  
John Cornelius Vanderbilt back with his bride.  
Con Conrad being mistaken for an Indian.  
George Burns and Gracie Allen at the El Mirador.  
Both picture houses doing capably business althugh with George Brent thrilling the visitors by walking around in his air togs.  
Jimmy Durante having a tough time keeping the schmoos out of the WB.  
Socialites grabbing off film star publicity by posing for fashions here.  
New Yorkers getting a kick out of Sak's Fifth Avenue display at the El Mirador.  
Bing Crosby, Dick Arlen and Harold Lloyd entered in the first P. S. golf tourney.  
Mrs. Edwina MacDowell, widow of the composer, lecturing here on her husband's music.  
Desert rides attracting the picture mob and increasing the demand for saddle horses.  
The Tom Melighans at the Desert Inn, where he is staying. This is almost as good as Florida.  
Locals claim that Grace Moore's high notes in "One Night of Love" at the El Paseo keeps them awake nights.

# Philadelphia

The Ike and Leon Levys back home.  
Tommy Stern and Labrum off for the West Indies.  
Wes O'Neil, Town Casino producer, is expected to visit his mother, Phyllis Foster, p.a.ing Jan Savitt.  
Ditto Mort Schwartz at the Penna hotel.  
Helen Barrett leaves Warwick Siaters, who go under the Harry Dagland banner.  
Emerson Gill, Mal Hallett and Henry Busse in town for battle of music at the La Casa.  
Jim Keating, former jensman for the Beebe, won the columnist contest and is now scribbling only.  
Jack Lynch has re-signed with the country, visit their homes at the Mack Margary for another annual stretch.  
Katharine Rand in from Cleveland to join Miriam Alpert at the Pennsylvania Mirror Room, with Clifford and Wayne getting an h.o.

# Providence

By A. Alfred Marcello  
Dick Farrell again P. A. for RKO Albee.  
Johnny Hodge struggling with statistics and the likes.  
Frank Crow still chewing on the life he got from his wife in Cleveland.  
Ed Fay getting praise for his idea of boosting biz by turning to unit shows, and giving up variety after many years.  
Maurice Druker, assistant mgr. of Loew's Century, Baltimore, in town to receive a visit his old boss, Howard Burkhardt.  
Eddie Reed kept lobby of Strand open all night for marooned patrons who couldn't reach their homes when transportation facilities failed during blizzard.





# OBITUARIES

## FREDERICK B. WARDE

Frederick B. Warde, 59, one of the outstanding figures of a stage era which included Edwin Booth, Lawrence Barrett, Tom Keene, John McCullough, Louis James, Fred Downing and other exponents of Shakespeare, died in Brooklyn Feb. 10, of heart trouble. He retired in 1922, realizing that the theatregoing had departed from the old tradition and feeling a distaste for the style of drama currently produced. On of dramatic occasions he had made temporary withdrawals to engage in lecture tours. He made his professional debut in England in 1857, playing the Sot and Murderer in "Macbeth." Later he was acclaimed one of the greatest Macbeths of his day. In England he supported Henry Irving, Adelaide Neilson and Sims Reeves. In New York he brought "Macbeth" to America in 1874 by playing in "Bell's Lamar." Civil War dramas were not the Irish dramatist's forte, the

town, O., Feb. 2. Police believe she had been overcome by carbon monoxide gas. She had been appearing in night clubs in Youngstown and nearby cities for several months and for several years had been playing burlesque as an added attraction. A daughter, June Rose, survives. Interment in Cleveland.

## CHARLES E. GRASS

Charles E. Grass, 67, for several years connected with the Hippodrome theatre in Marietta, O., died suddenly in the lobby of the theatre February 3 from a heart attack. He had been a life long resident of Marietta. His widow, a son, and several brothers and sisters survive. Burial in Marietta.

## ORA ROCKWELL

Ora Rockwell, 36, wife of Angelo Rockwell and mother of James and Jan, died at Dubuque, Ia., Feb. 6, following an operation. She was a member of the radio team in the "Jones Family" skit now on at WKBB and on the air over KWCH, Cedar Rapids, Ia., for over a year. Interment in Dubuque.

## ARNOLD FRANK

Arnold Frank, 38, manager for the Iselin Jones band, died last Sunday night (10) at the French hospital, New York, as the result of a pneumonia attack that followed an operation.

Widow and daughter survive.

## HELEN HADLEY BYRNE

Helen Louise Byrne, known on the stage as Helen Hadley, but of recent years retired, died in Norwich, Conn., Jan. 29. She is survived by her husband, John F. Byrne.

## WINFRED AUCKLAND

Winfred Auckland, 35, died in Seattle, Jan. 29, of heart ailment. Mrs. Auckland was contralto on KJR, Seattle, for past five years.

Mrs. Geraldine Lane "Gerry" Swinsky, drive force of Dallas Little theatre since inception, died in Dallas Jan. 29 of strange malady contracted two years ago in Mexico. Blood transfusions for months unavailing. Buried in Dallas. Survived by her husband, Albert Swinsky, Jr., advt. dir., Daily Times Herald, Dallas; parents and brother, Reeves Lane.

George Baillet, 86, formerly of the Comedie Francaise, died June 26, at his home in Paris. After 32 years with the Comedie, he quit after a discussion with the board of directors, because another actor wanted

## IN LOVING MEMORY

of My Husband

## LOUIS MANN

February 15, 1931.

## CLARA LIPMAN MANN

to take his dressing room away from him.

Thomas J. Jones, 46, died February 3 at his home in Albany, N. Y. Until five years ago he had been an operatic tenor in New York City where he had appeared in the Metropolitan Opera House.

Son of Johnny Payette, died suddenly in Baltimore, Feb. 6. Father is general manager of Warner Bros. theatres in the Maryland-D. C. zone.

Fred Lampert, 47, of Reeves & Lampert, agents, died in London Feb. 6, of consumption, after a lengthy illness. Survived by his widow, Anona Wynn, radio singer and mimic.

Mrs. Capitola Blackburn, 76, mother of E. O. Blackburn, western representative of J. E. Bruator, died Feb. 8 in Los Angeles of a heart attack. Burial in Chicago.

Mrs. G. P. Patrick, mother of Edgar B. Patrick, died Feb. 10 at her home in Mauch Chunk, Pa. Mrs. Patrick is survived by two other sons and two daughters.

Jason E. Ratekin, for more than 20 years treasurer for the Grand theatre, Kansas City, died in Los Angeles Feb. 8.

William W. Sullivan, stage employee in Albany theatres for many years, died Feb. 8.

## Landlord Wants Pix

### Policy, but Burly Outfit Won't Scram

Columbus, O., Feb. 11.

Lyeum, burlesque house, is being handled like baseball these days, with two factions clamoring for its rental. Virgil Jackson, operator of Picoadilly and Wilmar, neighborhood houses, started it off by signing lease with "Cuttin' out" owner of building, with intentions of starting a second-run downtown film theatre.

Art Mueller and James Spoon, who have paid 15 weeks have been struggling with burlesque, refused to vacate, asking for 30 days more. Owners started eviction proceedings, which don't come up until Feb. 15, giving burly one more week at least.

Climax came Thursday (7) when union stage hands and musicians walked out, yelling for back pay. Burly lost two performances, then went back to "Cuttin' out" for help. Meanwhile front page stories are swell plugs, and biz is picking up.

## Local Necessity

Waterbury, Feb. 11.

Burly back at the Jacques after closing impelled by clergy and campaign of Waterbury Republican and American.

Reopening of house, only palatid "dressed in state, came after complaints from merchants, who mourned loss of visiting fans' patronage.

New back Jacques is two-daying again, not only are Republican and American carrying ads, but W.D.B.S. station owned by joint dailies, is blurring the show via the mike.

## Chronic Darkness

Youngstown, O., Feb. 11.

Princess, downtown burlesque house, is dark after a second unsuccessful attempt to revive girlsque here. For several weeks this season the house offered stock burlesque but the policy failed to click. No immediate plans for reopening the house are in prospect.

## DROP ALBANY CASE

Judge Drops Hearing When Cops Fail to Appear

Albany, Feb. 11.

It's no dice for the local gardener who raided a Supreme Circuit burlesque show at the Capitol theatre last December. Trial of one girl resulted in a jury disagreement. Now the cases of the entire 22 girls, in addition to Edwin W. Howard, manager, and George F. Reynolds, stage manager, have been dismissed. Police Justice Francis Bergan wrote ftnis to the moral cleanup, instigated at the behest of three local Catholic clergymen, including the archbishop of Albany. He called off the cases when the two dicks who complained about "acra-rew" in the dialogue and what actually was limited exposure by the gals failed to appear in court.

## A Szerelem

(Continued from page 68)

man and the boy has married a rich girl whom he abhors but to whom he can talk about his lost love. There is a moment when they might both be divorced and each other at last, but the boy finds out his wife is expecting a baby and he cannot leave her. At the end they are resigned to their fate, live the life of other worldly married men and women, and the devastating passion of their youth, discovered too late, finds an outlet in an everyday, superficial intrigue. There is too much philosophizing, too much oratory and very little action, but the atmosphere is sincere, and the types of the disillusioned, cynical modern boy and girl whose innermost feelings are just as primal and passionate as Romeo's and Juliet's, are true to life.

Lili Murati is made to personify just this 1935 type of girl. There is in her acting a nervous, slightly bitter note which makes her personality intensely interesting. On the whole, a well-written play for highbrow audiences, but not as good entertainment as most others by Fodor.

## Expert Assistance

Dallas, Feb. 11.

Mal. Lenox Lohr, dir. gen'l Century of Progress, arrived Monday (Feb. 11) and assisted as consultant for planning board of Texas Centennial exposition.

Letting of the Texas Centennial will run from June 1-Nov. 1936.

## JOHN ROBINSON 4TH BACK IN CIRCUS BIZ

Cincinnati, Feb. 11.

John G. Robinson IV, is giving up the practice of law here to follow in the footsteps of his father, grandfather and great grandfather as the head of a circus bearing his name. Last week he filed articles of incorporation with the secretary of state's office in Columbus for the Ohio Circus Corporation, with a capitalization of \$100,000, and announced that his white top aggregation will be launched in the spring as a 10-car railroad show, bearing the title of the New John G. Robinson IV Circus. Half of the shares will be marketed.

The old John Robinson Circus title; more than a century old, was sold in 1916, by John G. Robinson III, to Mugavin & Bowers, from whose American Circus Corp. it passed to the Ringlings. Best known in Southern territory, the Robinson title has been shelved for the past three years, save for use with the Hagenbeck-Wallace show on one engagement in Cincinnati and in combination with the Sells-Fleeto outfit on a tour in Covington, Ky., opposite Cincy.

## Circus April 11

Ringling Brothers-Barnum and Bailey circus will open the season at Madison Square Garden, N. Y., April 11. Starting date is later than the season as Easter comes late in April (21). Big top invariably starts on eve of Holy Week.

Garden date is slated for three weeks and two days, about one week shorter than last season.

## Licensed Billboards

Oklahoma City, Feb. 11.

A bill has been introduced in the legislature providing that all persons, firms or corporations erecting bill boards or outdoor advertising on real property in Oklahoma, shall be licensed at cost of \$25, and to pay \$10 cents for each billboard or other structure erected, and 2 cents each square foot of space therein contained, the funds obtained to go to the common school fund; and also a bond in the sum of \$1,000 to be given as guarantee of good faith.

## M'waukee Strand's Burly

Milwaukee, Feb. 11.

Strand, obsolete downtown picture house, will soon be reopened by Morris Zaidins as a "tab" burlesque theatre. Zaidins recently closed the Gayety, which he had taken over from Charles Fox.

Strand, on the main street and within a half block of the ace Wisconsin and Palace, has been dark for the better part of the past two years.

## Acad. Setup

(Continued from page 4)

terms, if mutually agreeable, but that no contract can be on terms less favorable to the artist than those provided in the agreement.

2. That no freelance actor will be engaged unless under the regulations provided for in the week-to-week contract or the day pay provisions, with the only exception being those earning \$40,000 or more a picture.

3. If a minimum contract is delivered by a producer to an actor and if the same is executed without alteration by the artist and is returned to the producer by noon the following day, the contract will be binding, even though not signed by the producer.

4. All records of the Call Bureau will be open for inspection by any committee or committees of the Academy.

In view of the Screen Actors Guild demand that the Call Bureau has been unfair and should be abolished.

1. An actor can refuse Academy membership if he is not a citizen, but such arbitration is compulsory on the producing company.

## Codona Certain Air

### Skit Attacked Him, Cost Job; Asks 200G

Los Angeles, Feb. 11.

Edward Codona, junior member of the Flying Codonas, is, or rather was a policeman in Long Beach. Several days ago he heard an oil company broadcast of police tribulations, in which one of the Flying Spizozas, was described as insane, a fugitive from justice and a pyromaniac.

The similarity of names was interpreted by Codona as an attack on him. Shortly after, he lost his police job and blamed the broadcast. Last Friday (8) he filed suit against the oil company for \$200,000.

## PROV. JURY'S VERDICT FAVS CIRCUS COWBOY

Providence, Feb. 11.

Hagenbeck-Wallace circus' outfit will seek a new trial of a suit that resulted in a jury verdict of \$4,500 in favor of Harry "Buck" Owens, cowboy stunt artist, and his wife, Rita Ty-Bell, "Iron-Jawed" trapeze artist. Jury gave Owens that lasted in Superior court here for one week. Owens claimed circus cancelled his contract here without cause when it had 17 weeks to run at \$125 a week.

When the show came to Providence, Jan. 28, Owens was fired. He promptly had the circus outfit attached, and a \$10,000 bond was filed before show was able to move on.

An unprecedented feature of the trial was the showing of the film "Falls of the Prairie," a three-reeler, starring Owens and his trick horse, Goldie. The court and the jury witnessed the picture at a special showing at Play's theatre. Owens' counsel had the film entered as evidence to show that the cowboy earned his salary as a stunt driver, and that he was not pass as the defense attempted to prove.

## Helping Out the Falls

Niagara Falls, Feb. 11.

Joseph Pappas, builder and former owner of Neptune Beach here, has reacquired the property by lease to operate this summer, opening scheduled for May 18. Located on Niagara City Hill and about 12 miles from Buffalo.

Park has accommodations for 50 concessions, and has seven stationery rides, also a roller skating rink and large ballroom. Mr. Pappas also plans to open a night club within the confines of the park.

## State Fair Talk

Albany, Feb. 11.

The 47th annual convention of the New York State Association of County Agricultural fairs will take place at the Eye hotel, Albany, Feb. 19. Speakers will include Milton Danziger, assistant general manager of the Eastern States Exposition, Springfield, Mass.; A. W. Lombard, secretary-treasurer of the Massachusetts Agricultural Fair Societies; Charles H. Baldwin, retiring state commissioner of agriculture, and his successor, Peter G. Ten Eyck.

## NEW PARK HEAD

Meadville, Pa., Feb. 11.

William E. Baker, formerly identified with the William Penn hotel in Pittsburgh, has been named manager of Conneaut Lake Park, near here.

## ANOTHER VICTIM

Dixon, Ill., Feb. 11.

The Lee county fair, grounds and buildings, near Amboy, for sale under the hammer of the sheriff.

## LETTERS

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IN REMEMBRANCE OF OUR Beloved Partner  
**ROY ELLIS**  
 Who Died in London Jan. 19, 1935  
**RAYE and LA RUE**

play falling. However, Warde attracted the attention of Jarret & Palmer (the latter A. M. Palmer), and they engaged him to support Charlotte Cushman in a season of Shakespearean repertory at the Booth theatre. Miss Cushman retired in '75, but he remained under the same management for three more years, going over to Augustin Daly's stock company. His next engagement was in support of Edwin Booth, playing Laertes to Booth's Hamlet and alternating with the star the roles of Iago and Othello. On two different occasions he was disappointed with Louis James in repertory, the last association terminating in 1903. In the interval he starred alone, finding gratifying support.

From 1903 he appeared in several motion pictures, notably "Silas Marner," but the then silent screen did not appeal to a player notable for the sonorous reading of the grandiose roles of Iago, Othello and not follow up the favorable reaction he created. In that year (1922) he became an American citizen.

In 1871 he married, in England, Annie Admonades, who died in 1923. He is survived by his son, Arthur Frederick Warde, and two daughters, Mrs. May Schmitt, with whom he made his home, and Mrs. John J. Hillardner.

Funeral services were held Saturday, with interment private.

**DOLLY L. WOODWARD**  
 Mrs. Dolly L. Woodward, 75, circus and stage star 50 years ago, was burned to death Feb. 2 when the kitchen of her home in Saratoga Springs, N. Y., caught fire. At an early age she and her sister, now Mrs. Kitty F. Smith, appeared with their mother in "The Black-Crook" at Niblo Gardens, New York. The sisters later were known as Lange and Sharp, dancers in circus concerts. Mrs. Woodward was noted as a skip rope dancer. She and her first husband, Samuel Lange, appeared several years in a comedy sketch entitled "The Reporter."

**JOHN R. McILHERAN**  
 John R. McIlheran, 50, who opened first picture theatre in Texas (Theatertorium, Dallas), died Jan. 29 in Amarillo. Was mgr. Interstate Theatre at death. Burial in Dallas, Feb. 1.

He had been Universal mgr. in Dallas, El Paso, and Nat'l Theatre Supply mgr. in Atlanta, Ga. Survivors are his wife, a daughter, Mrs. Delaney Blythe of Amarillo; four brothers and four sisters.

**SANDFORD BENSON**  
 Sandford Benson, 70, died in Hollywood Feb. 4 from injuries received when struck by a hit and run driver. Burial in Hollywood, Feb. 6. After a brief career on the New York stage, Benson came to Hollywood to enter pictures.

Mother and a brother survive.





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PEBECO TOOTHPASTE**

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WABC-CBS

Unprecedented in radio history. Following his first broadcast (Sunday, Feb. 3) for the New Pebecco Toothpaste, here is the Crossley Rating\*

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\* The Crossley Report is recognized as the official barometer for size of listening audience

The 4 Star Program

- \* EDDIE CANTOR
- \* RUBINOFF
- \* TED HUSING
- \* PARKYAKAKAS

# VARIETY

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64 PAGES

## GOAD EQUITY INTO RADIO

### NBC Hymn-Singer Plays Salvation Army Affair at 50% of the Gross

A profitable by-product to NBC's Artists Bureau is seen in the growing number of churches and similar bodies contracting for radio singers to make personal appearances under auspices. Edward MacHugh, who warbles hymns three times a week over the NBC red loop has become a favorite for church occasions.

Latest date for MacHugh is as star attraction for a Salvation Army drive in Bayonne, N. J. He will play the 1,200-seat Junior High School Auditorium on Feb. 28 under the aegis of the local Salvation Army post on a 50% of the gross deal. NBC has D. W. Morris devoting full time to digging church bookings for MacHugh and may send the hymn-singer on a trans-continental tour later.

Temple University, Philadelphia, has set MacHugh for sunrise services Easter morn. For cash.

### Of Maestro Goes Plenty Deluxe; Plane, Yacht, \$5,500 a Wk.

Hollywood, Feb. 19. Ben Bernie has collected for himself a de luxe contract for a six weeks engagement at the Casino, Catalina Island, starting May 15. The deal calling for \$5,500 a week stipulates that Philip K. Wrigley provide him with a bungalow and service, also a yacht and a plane at any time he desires to go to the mainland. Incidentally the boat is the private conveyance of the Wrigley family.

This date will keep Bernie here until the middle of July, or forever.

### Hubby-Deceiving Theme Slanders Parisiennes

Paris, Feb. 19. Selection of "La Parisienne" by Henry Becque for first radio broadcast of a play performed by Comedie Francaise aroused protest. Kickers say play will give outside listeners impression that Parisienne is a woman who regularly deceives her husband. Argue that a Mollere masterpiece would be more suitable for initial broadcast and less slanderous on capital's women.

### Travels with Ball Club

Cincinnati, Feb. 19. Walter Barber, baseball blazer for WBAI, has departed for Tampa, Fla., to be with the Reds during their entire training season. Assignment is regarded as first of its kind in major league broadcasting.

### Slight Twist

Baltimore, Feb. 19. Annual convention of the Association of Highway Officials of North Atlantic States was held last week at Lord Balto hotel. Hotel hung a satin banner in lobby reading, "Welcome, Highwaymen."

### PICTURE KIDS AS 'DISCOVERIES' FOR FANS

Hollywood, Feb. 19. Preview reception of Paramount's "Car 99" which, with the exception of Sir Guy Standing, Frank Craven and William Frawley, was cast with unknowns from the studio's junior stock group, has both Fox and Warners planning on turning out several similar pictures using junior players in most of the parts.

Both studios feel that audiences are pleased to discover new and youthful personalities. Also the training the youngsters receive under actual picture production conditions is a much better foundation than schooling through studio plays.

In both studios there has been (Continued on page 25)

### IF YOU'VE HEARD TOO MUCH, STOP US

WBN, Bronx, is giving listeners a chance to phone in and stop a program if not liked. Occasion is the amateur script writer's contest now underway.

A single rap won't count, but station is mum on the exact number of complaints which will elicit a broadcast. Walter Osborn, Jr., in charge the program, thinks this the surest way possible of saying either thumbs up or down.

### First Straw Hat

First summer tryout spot to get in its opening announcement is the Maverick theatre at Woodstock, N. Y. Will open July 4.

Robert Elwyn will again direct the ten-week season, which will be devoted to usual summer test plays and late Broadway successes.

### RADICAL BLOC FORCES ACTION

Budget Set for Membership Drive in Radio—Special Committee Okayed to Look Into Broadcasting Biz—Seek Transcription-Coin Share

### CHISELING AN ISSUE

Hot session within the inner circles of the Actors' Equity Association occurred last week in New York City. As a result, the administration okayed the creation of a special committee for radio.

Criticism of do-nothingism by a group within Equity forced the adoption of a policy of membership. A budget is reported at the disposal of the radio committee, with the latter now seeking a man to organize for Equity within radio. Who is on the Equity radio committee is being kept something of a secret. Certain committeemen make their livelihood by radio appearances and profess fear of getting their names on a poison roster.

Equity's failure to get action in Washington on talent conditions, and the dilatory tactics of the Radio Code Authority on recommendations made by Equity over a year ago, have become an intra-organizational source of friction. Equity officials have presumably been stung by the criticism of members into doing something to organize radio performers with a view to establishing jurisdiction.

Rebel bloc in Equity is already turbulent on matters not pertaining to radio, so the question of getting somewhere in the new field is re- (Continued on page 34)

### 'Not for the Populace'

### Cohan, in Midst of Road Tour, Declares He Finds Theatre Is for the Minority

Dayton, O., Feb. 19. Here on a one-day stop to play two performances of "Ah, Wilderness!" George M. Cohan indicated that his illusions regarding restoration of the road have been quite shattered and 'the theatre, like good literature, is only for a select minority, not the populace.'

Wary of the grind of one and two-night stands, with three matinees a week, he says he is definitely through with his present role when the tour ends March 30. He is now making preparations for a new play he has written called "He Wouldn't Want You To."

### Father Coughlin's Airings Start an Economist-in-Every-Pulpit Trend

### Plenty White Space

Sally Rand grabbed a full column in the N. Y. Times on her talk before the Sales Execs Club in Manhattan. She spoke on fan-dancing, especially in relation to the use of much white space for advertising purposes. All done very mecoy and seriously received.

### 1-NIGHT LEGIT STAND TOUR BY AIR

Paris, Feb. 19.

First airplane tour of Europe by a legit show will take place early in the fall, when the most famous French long-distance pilot, Codos, will take a troupe up with a new Sacha Guitry comedy.

Show will open on Sept. 1 for one-night stands. Berlin, Warsaw, Moscow, Bucarest, Constantinople, Rome and Madrid are on the list.

During the tour the Theatre de Paris will be turned into a picture theatre, to show newswall clips of the showplane taking off and landing, unloading the scenery, the foreign playhouses, etc. When the tour is over, a regular Paris run will begin. Andre Luguet, former war aviator, will star.

Chicago, Feb. 19. Spellbinders are crowding into the ether, trying to talk their way into fame and fortune. All are aping Father Coughlin, who has the ex-chautauque lecturers green to the gills with envy. They can't see why they can't build up a little publicity and following for themselves and turn that into extra sugar. Following the clock of Father Coughlin, lecturers are spreading into every possible radio station, and the station managers are finding their biggest duty these days is to keep saying 'no' to people who want to spout over the loudspeaker. These lecturers even come armed with coin, but the better outlets are all scrutinizing these deals carefully before okaying the use of the transmitter for straight shouters.

Latest and biggest indie lecture spread outside of Father Coughlin's network is the spot schedule being arranged by the backers of the Townsend old age pension plan. Jack Kiefer, who was formerly associated with a California air depot, is scampering around the country trying to tie up stations for the lectures. Company behind the deal is called Old Age Revolving Pensions, Ltd.

Program being spotted by Townsend group is a twice weekly 10- (Continued on page 62)

### Fear of Baggy Knees Keeps Film Colony's Standing Army Erect

Hollywood, Feb. 19. Sitting down is an expensive luxury to Hollywood's standing army, which professes the male dress extras, the boys who earn less than \$3,000 a year but must own a wardrobe costing around \$1,000 a year.

On the set these male extras refuse to sit down, for fear of spoiling the creases in the trousers, for tailor bills mean cash.

One of the standees claims that he owns 50 different suits and has never sat down in one of them. The other night in a theatre lobby by scene at the Carthay Circle theatre, a dozen or more 'first nighters' refused to profess the male dress extras stood up four hours, between scenes, saying they wouldn't take a chance of getting that baggy knee effect.

### Crime News

Berlin, Feb. 19. Berlin stations are making ever-increasing use of facilities to broadcast criminal news and requests for information.

Principal crime announcements, however, are to target Jews who died owing the govt. back taxes.

## Actor Tries Hunger Strike to Get Phiz on Screen; Cops Break It Up

Hollywood, Feb. 19. Hollywood's gendarmes stepped to the fore last Friday (18) and ended the hunger strike of Richard Talbott, 24-year-old New York actor, who had vowed he would refrain from eating until cast in a picture at Paramount.

Talbott's unique method of gaining his point was to sit on a box outside of the Par administration office for three days without a bite of food. He made one mistake. He appended to his box a small sign which told of his predicament. That's how the cops reached him. Hollywood has a law against posting signs on private property without the owner's permission. Par owned the sidewalk, something Talbott overlooked.

Talbott came from New York three months ago claiming experience as a stock and New York player. He made every casting office in town, claimed he saw no one but office boys. With a wife, a child, a mother and father to support, he fashioned the hunger strike idea.

In the three days Talbott remapped foodless, nothing happened outside of his continuous denials that he had taken time out for a sandwich. When the coppers shagged him he promised in future to use more orthodox if less original methods.

## Estelle Taylor's 20G Award Against Joyce Is Upheld on Coast

Hollywood, Feb. 19. California District Court of Appeals upheld the \$20,000 judgment given Estelle Taylor in her Superior Court suit against Frank Joyce and his chauffeur, Howell L. Scott.

Suit was for injuries Miss Taylor received in an auto smash Christmas Eve, 1931.

## CAMERA SNUBS HIM, LEDERER QUILTS PIC

Hollywood, Feb. 19. Storming off the "Brink of Hearts" set at Radio after a day and a half of shooting, Francis Lederer vacated the co-starring spot with Katharine Hepburn, and Charles Boyer moved in, on loan from Metro Wanger.

Lederer's squawk was that Miss Hepburn was getting all the camera breaks.

## Wolf Aide to Botsford At Par, Wright Goes Indie

Hollywood, Feb. 19. Manny Wolf succeeds William Wright as assistant to A. M. Botsford at Paramount. Wright resigned last week to enter the indie production field.

Wolf was formerly on the studio's story board, resigned to become story editor for Samuel Goldwyn. He recently was replaced at the latter studio by Merritt Huburd, also from Par.

## Eddy Handed New MG Deal, Set in 'Strauss'

Hollywood, Feb. 19. Although he has had only one part in the year he has been under contract to Metro, company has picked up option on Nelson Eddy for another stretch.

Prior to nabbing a part in 'Naughty Marietta', extent of Eddy's work had been singing spot songs in various pictures. In lifting his agreement Metro has pencilled Eddy into a featured spot in 'Life of Johann Strauss' which Bernie Hyman produces.

Eddy leaves tomorrow (Wednesday) for New York to do a single other turn on NBC Feb. 24. His concert tour starts Feb. 25 at Easton, Pa.

Eddy returns May 1 to begin second picture under renewed Metro contract.

## Office Repartee

Hollywood, Feb. 19. Producer called in the studio's top scrib to get his reaction on a story he (the producer) had been working on for months. The recital over, producer asked what the playwright thought of it.

"Only black booking will save it, was the straight faced answer."

## Former Stars Plan To Flicker Again in Guild Stage Shows

Hollywood, Feb. 19. Many of the screen's former stars and featured players are planning to jump to the stage through an undertaking of the Junior Screen Actors' Guild to produce a series of full length and one act plays and vaude skits. Guilders will not battle the commercial theatre, confining admission to members and studio personnel.

Junior Guild embraces former stars, directors, vaudevillians, magicians, warblers and clowns, as well as the author of 'Strawberry Roan', Curley Fletcher.

Former stars on the Guild roster are Jack Muhlall, Florence Lake, Paul Panzer, Mary McAllister and Frank Mayo, who also megged Charles Martin, Scott Matrow, Jack Harvey and Major Mel Forester all have backgrounds of stage and screen directorial work. Jerome Storm directed 'Over the Hill', a top b.o. clicker for Fox in silent days.

## Jesse Smith at Radio As Aid to Berman

Hollywood, Feb. 19. Jesse Smith is at Radio as a production executive. First job is assisting a Franco Berman on 'Freakies'.

Smith produced a group of features about 10 years ago for First National, and later operated his own studio in New York.

## Butler's Cantor Yarn

Hollywood, Feb. 19. Frank Butler has been borrowed from Hal Roach by Samuel Goldwyn to concoct the next Eddie Cantor yarn.

Butler leaves in the middle of 'Laurel and Hardy's India', team's next.

Goldwyn is also negotiating with Joseph Fairlie, English novelist vacationing here, for a Cantor story. Fairlie is writer of detective stuff.

## Shirley to Get Tuner; 'Nymph' May Be Cold

Hollywood, Feb. 19. Fox has temporarily, perhaps permanently, shelved 'Nymph Erast'. Will probably replace on the release program with a Shirley Temple musical. 'Nymph' has been scripting for several months, two adaptations having been made.

Studio decided time is right for Temple to go into a time film following 'Little Colonel'. Story not set but Buddy DeSylva will handle the production.

## JOHN STONE RESTS

Hollywood, Feb. 19. John Stone has washed up his production skid at Fox for the season and goes to New York for a month's vacation.

He goes via New Orleans.

## Mordant Ball Off Air

Mountbunt Hall, former New York Times, picture critic, is no longer doing his Monday stint over NBC. Hall went on Dec. 17 with a chatter program that embraced news about the film business and gossip about screen names.



## WILL MAHONEY

The Evening News, October 16, 1934: 'Here's the glad hand to Will Mahoney in "Radio New York" at Golders Green this week. If all the things America sends us were as good as Will Mahoney we'd owe her a bigger debt than any war debt.'

Direction  
WM. MORRIS AGENCY  
Mayfair Theatre Building  
New York City

## M-G Is Peeved At Scrib Staff, Freelancers Out

Hollywood, Feb. 19. Metro is planning a pruning of its writing staff, always the biggest maintained by any studio. Latest move is to eliminate as many freelancers as possible.

Studio has issued edict to producers that when writers are needed outside scribes can only come in when contract writers are not available. Availability of contractors will be more frequent in the future, for studio has also issued orders that in future practice of assigning half a dozen writers to one story is out. Latter has almost been a habit at Metro, it being not uncommon for scripts to be delivered for production with six or more writers having their names on the title page as authors.

For several years Metro's writing staff has fluctuated between 65 and 85 scribes. But producers on this lot have long made a practice of bringing outsiders into the studio to work on scripts. Writers brought in in this fashion usually had a rep for some particular line of work.

Studio figures that with cutting down of the writing staff considerable saving will be effected in story production costs, long a headache.

## Colored Actress in U's 'Imitation' Makes Film A Wow in Negro Zone

Chicago, Feb. 19. Universal's 'Imitation of Life' flicker with Claudette Colbert has been a clean-up in the colored theatres in this territory because of the colored mammy partner (Louise Beavers) in the story about pancaakes and pancaakes.

Colored houses have boosted admish rates on the pictures and are doing hold-over business. Essaness Metropolitan theatre here raised scale from 15c-25c to 25c-40c and did \$9,000 for a smashing record the first week and now holding over and indicated \$8,000 for current session in a small nab spot.

## 3rd 'BUTTER AND EGGER'

WB Remaking Geo. Kaufman's Play in London

Warner Bros. will remake 'Butter and Egg Man' in London. Work starts on the film next month at Teddington.

George S. Kaufman wrote the play which was made as a silent picture by WB under that title and then again as a talker named 'The Tenderfoot', three years ago.

## MG TESTING LEGITER

Hollywood, Feb. 19. Metro is testing Otto Huellet in New York who is now playing 'Personal Appearance' (Cepit).

## FAMOUS FIRST NIGHTS

The following descriptions of memorable theatrical premieres is a compilation of stage, screen, concert or radio openings which, for some odd circumstance or another, stand out in show business. They will be recorded without thought to chronological order. The reasons for the distinction of each premiere range anywhere from some historical significance, in connection with the debut of an artist, novelty show venture, play or company, to some other attendant excitement backstage, some colorful occurrence on front, or merely because of the gala circumstance. This is to be a continued series.

### 'John Ferguson'

(Garrick, N. Y., May 12, 1919)

This was the second Theatre Guild production after its initial try, 'Bonds of Interest', from the Spanish, started off this new group on April 14, 1919, and lasted but a month. 'Ferguson' was the Guild's first production at the Garrick and St. John G. Irvine (the way Ervine then spelled his name according to billing) was the author.

Variety took exception to the Guild's alleged 'non-commercial' platform, as expressed in a program note, by pointing out that it was intensively soliciting subscriptions for memberships. Variety also ventured that while John Ferguson was advance-announced for only one week at the Garrick, that the performances of Helen Westley, Augustin Duncan, Rolfe Peters, Dudley Digges and Henry Herbert, merited giving the play a longer trial, particularly in view of the sundry mishaps of opening night which included tension which caused Miss Westley to miss some of her lines.

'John Ferguson' was a decided success and marked the Guild's first real start to economic survival. Group then took a long term lease on the Garrick where many shows, including several Eugene O'Neill's plays, were produced.

### LePerquet de Paris

(New York, Nov. 5, 1926)

At 19 years of age Roger Wolfe Kahn, scion of the house of Otto H. Kahn, who wanted to be a musician and was finally leading his own band, opened the Perquet with Rene Racove, Paris cafe man, designing the New York niteray as a counterpart of the famous Perquet in Paris. There were also Kahn's own wrinkles, which included a revolving and mirrored dance floor and aquarium tanks—fish bowls underneath glass-tops upon which everything was served.

At a \$25 premiere concert young Kahn got a Park avenue turnout that was chiefly social register. Expensive favors, such as perfumes for which he paid \$27.50 wholesale, and which-retailed normally at \$35, were given away. Regular covert was \$5. A new gift nightly was another of Kahn's ideas as was the special bandstand, which acoustical shell cost \$12,000.

Situated on the former Giro's, on West 56th street, (later the Club Richman), it backed the present Little Carnegie cinema. At that time all this depth was utilized as a sumptuous doorway from West 57th street, it being young Kahn's idea to afford a two-way motor entrance.

The last gasp in swank, New York but mildly supported it, although it was suggested from the start that instead of the 500 coverts at \$5, young Kahn might cut it in half and do twice as much big place cost \$18,000 to equip and was but an artistic success, lasting just over the winter season. Young Kahn, despite Jimmy Walker's okay for a 4 a. m. curfew, self-selected a 2:30 a. m. closing, on the theory the nice people don't stay up later.

This was during the time when the late Otto Kahn was indulging his son's penchant for jazz, after Roger had told his folks that brother Kahn had got into the jazz racket, but was partial to tooting a sax and leading a dance orchestra. Otto Kahn liked his younger son's spirit and even carried press clippings about the boy around with him, which he showed to friends. Roger is still in the band biz and Gilbert Kahn with Kuhn, Loeb & Co.

## 3 GAL BUILDUP

Fox Will Plug Rochelle Hudson, Rita Cansino and Frances Grant

Hollywood, Feb. 19. Strong buildup will be given Rochelle Hudson, Rita Cansino and Frances Grant by Fox. Studio hopes to send these ingenues up to star rating before the year ends. All loanouts will be nixed on Miss Hudson. She has done most of her work off the lot during the past year.

Studio has decided to let Miss Cansino retain her name, skilling off her color of Rita Rubio. The Cansinos were a standard vando name for years. She is of that family.

## SAILINGS

Mar. 4 (Los Angeles to Yokohama) Bert Fowler, Fritz Mossman Motorcycle Rodeo (Rio de Janeiro Maru).

March 3 (New York to London) Irving Mills, Duke Ellington band (De-la France).

Mar. 4 (New York to London) Charles Laughton (Majestic).

Feb. 24 (Los Angeles to New York) Claudette Colbert (Virginia).

Feb. 23 (New York to London) Bob Ritchey, Mary Nina, Beatrice Foote (Champlain).

Feb. 18 (Los Angeles to New York) Jerome Bestie (California).

Feb. 15 (West Indies Cruise) Ted Chalmers, Leslie Gross, Dorothy Foy, Jack Laurie and Jack Palmer, Jay, Barnard, Marion Raymond, Alfred Brower, Vicki Faust, Woodruff and Struthers, Octavus Roy Cohen, Coningsby Dawson, Jerry Dohy (Lafayette).

Feb. 15 (New York to London) Richard Day (Berengaria).

Feb. 14 (New York to London) Sunny O'Dea (Washington).

Feb. 13 (New York to Genoa) Max Barber (Cote d'Azur).

Feb. 13 (San Francisco to Paris), Lillian Templeton (Thrasher).

## Academy Spots Handiwork of Screen Techs

Hollywood, Feb. 19. Academy technical award nominations were completed last week for final balancing by the members of the producer-combined organization.

Candidates in the technical classes are:

Art Direction: 'Cellini', 'Gay Divorcee', 'Merry Widow'.

Camera: 'Cellini', 'Cleopatra', 'Operator 13'.

Sound Recording: 'Cellini', 'Cleopatra', 'Flirtation Walk', 'Gay Divorcee', 'Imitation of Life', 'One Night of Love', 'Viva Villa', 'White Parade'.

Film Editing: 'Cleopatra', 'Eskimo', 'One Night of Love'.

Winners in class except film editing go statuettes. Scissors wielders get certificates.

## Loew Ends MG Studio Call, Flies Back East

Hollywood, Feb. 19. Arthur Loew left here by plane Friday (15) heading for the Metro home office.

Foreign distribution chief had been at the studio 10 days looking over current pictures as to foreign possibilities.

## Col. Hooks Hall

Hollywood, Feb. 19. Thurston Hall, character actor now in the Broadway show, 'Rain From Heaven', has been given a term of confinement.

He will come out here at the end of the play's run.



# CHARACTER MEN STEP UP

## Guild Will Not Push Appeal to Nat'l Labor Bd.

Hollywood, Feb. 19. At a meeting of the board of directors of the Screen Actors Guild yesterday (Monday), it was decided to call off the proposed plan to go over the head of the code authority in an appeal to the National Labor Relations Board on the Guild's demand for inclusion of players' working conditions in the code. Actors board decided to strengthen their insistence that Washington hearing be given their demands, and also to endeavor to get producers to file their brief in answer to the actors' brief in order that the matter can be cleaned up in its entirety.

Guild claim that producers, by withholding their arguments, are gumming up the works, and that the players' refusal of several weeks ago are in danger of being pigeonholed unless speedy action is taken by NRA.

Meeting also expressed dissatisfaction at the recently signed actors' new contracts for freelance players, although Guild members also admitted it is an improvement in working arrangements for that class. Guild members want to continue to fight to right conditions in the industry pact and base their hopes in this direction on the proposed Washington hearing.

## Jones-McNutt Quit Par, Will Split as Team After 9 Yrs.

Hollywood, Feb. 19. Grover Jones and William Slaven McNutt leave Paramount March 1 and split after nine years as a team at that studio. Most prolific of Hollywood scribes, they have co-authored 48 features. Jones has written a total of 68 screen plays for Paramount while McNutt has credit on 50.

McNutt originally came west with a rep as a crack newspaper and magazine man and was considered among the top war correspondents. Jones was a stunt man, actor, quickie producer and laborer, who also knocked out stories for quickie producers.

A year ago Paramount made Jones and McNutt producers, writers and directors of their own pictures and gave them a three picture contract. They produced one picture, admitted at the preview it was lousy, turned in their three way contracts and resumed just writing.

Jones is going to England on vacation, but may do a picture for British International. McNutt will take his first vacation since he started at Par.

## DROP CHORUS LINEUP IN NEXT CANTOR PIC

Hollywood, Feb. 19. Samuel Goldwyn has decided to make the next Eddie Cantor picture a farce with songs and minus production members. No big chorus will be employed.

Lawrence Riley is working on the story with Harold Arlen writing the tunes. Arthur Sheekman and Nat Perrin, loaned to Fox to script 'Nymph Errant,' return to Goldwyn this week to work on the Cantor story.

## Harlow's 'Hussy'

Hollywood, Feb. 19. Metro has taken up its option on 'Gorgeous Hussy,' Sam Hopkin Adams story, and will star Jean Harlow.

David Selznick producing.

## Spare Them Hossees

Eastern exchange manager for Paramount, at a recent confab to discuss title of studios' 'All the King's Horses,' begged that it not be changed, as patrons in his territory would figure it a western, which would mean bigger returns in his territory.

## Laughtons Returning Home, Missus to Do Three Pix for Korda

Hollywood, Feb. 19. Charles Laughton and his wife, Elsa Lanchester, have booked passage for London, March 1. Mrs. Laughton probably will stay in England for a while as she has three more pictures to do under contract with Alexander Korda's London films. Laughton returns to Hollywood for his role in 'Muthy' on the Metro.

Laughton has one more picture to do for London Films on his old contract and will huddle with Korda on a story. Rene Clair is tentatively slated to direct.

Mrs. Laughton finished up last week in 'Bride of Frankenstein,' at Universal.

## 2 ROCHE STORIES IN WORK AS AUTHOR DIES

Hollywood, Feb. 19. Death of Arthur Somers Roche came in the midst of negotiations being conducted by Hunt Stromberg, Metro producer, for screen rights to deceased author's 'Hard to Get,' running serially in a magazine.

Two Roche stories were produced by Metro, 'Shadow of Doubt,' released in January, and 'Penthouse,' Paramount is now making 'Strange Case of Mr. Ames' and Radio is doing 'Star of Midnight,' also Roche yarns.

## Extra 36G for Bernie As 'Harmony' Past Due

Hollywood, Feb. 19. Ben Bernie drew an extra \$36,000 when 'Stolen Harmony,' in which he makes five weeks, ran three weeks over schedule.

Contract called for \$12,000 a week.

## LONG EDGE DULLED

Art Break to Fan Mag Nixed By Studios to Pacify Contemps

Hollywood, Feb. 19. Following recommendations from their home office publicity departments, the heads of the various major company press departments have agreed not to give any future edge on photo breaks to Ray Long of Photoplay.

Action was the result of a fan mag complaint to the New York offices that Long was getting picture exclusives on the Coast in violation of the rule that such planning was the prerogative of the home offices.

Only 'major' studio planning in fan mag art at the studio is Universal.

## Tomlin on Personals

Hollywood, Feb. 19. Pinky Tomlin, hope a train for the coast today, (Tuesday).

After a few days stopover at his home in Oklahoma, Pinky does a week of personals at the Oriental, Chicago, and a similar stretch subsequently at the Capitol, New York.

## KIT CARLISLE'S 2D WK.

Katy Carlisle, currently at the Michigan, Detroit, will probably play a second week of personals for Paramount before returning to the Coast.

Tentative spot and date is the Chicago, Chicago, March 1.

## ACUTE SHORTAGE OF MALE LEADS

Studios Paying Handsomely to Offset Name Famine—\$1,500 Weekly Not Unusual, with Several Drawing Up to \$5,000—Menju Top Freelancer

## FEMMES FROSTED

Hollywood, Feb. 19. Lack of sufficient leading men in pictures is making the present a banner time for character men. Never in the history of motion pictures have character actors been able to command such high salaries.

A weekly salary of \$1,500, is not unusual, on at least a two weeks' guarantee at that figure, for such players as C. Aubrey Smith, Dudley Digges, Arthur Byron, Eugene Pallette, Lumsden Hare, J. Farrell MacDonald, J. C. Nugent, Donald Crisp, Reginald Owen, Frank and Ralph Morgan, O. P. Heggie, Henry Stephenson, Robert McWade, Warner Oland, Joseph Cawthron, Lionel Atwill, Sidney Toler and others.

Highest salary paid to any freelance player is to Adolphe Menjou, who gets \$5,000 a week. Edward Everett Horton and Ned Sparks, who receive an average of \$3,500 per week must have a two-week guarantee on all pictures and seldom are between pictures.

Studios claim that shortage of male leads make it necessary to build up character parts both for the screen and the marquee.

Two Roche stories were produced by Metro, 'Shadow of Doubt,' released in January, and 'Penthouse,' Paramount is now making 'Strange Case of Mr. Ames' and Radio is doing 'Star of Midnight,' also Roche yarns.

In this class are Berton Churchill, Herman Bing, Sterling Holloway, Sam Elmer, Henry Kolker, Alan Mowbray, Henry Armetta, Ferdinand Gottschalk, Charles Grapewin, Roger Imhoff and Lulu Albani.

William Collier, Sr. and David Landau turn down more jobs than any other two players in Hollywood.

On the femme side, character players do not get such a good break. In demand at present are Helen Westley, Jane Dugan, Nydia Westman, Greta Meyers, Henrietta Crossman, Jane Darwell and a few others, but for the most part, studios are more interested in character men.

## 3RD RADIO PIC HALTED BY DIRECTORS' ILLNESS

Hollywood, Feb. 19. Radio stoppage picture Sunday (16), the third to be halted in a week through the illness of a director.

Picture held-up was an untitled six starring Ann Shirley. Now awaiting recovery of George Nichols, Jr., suffering from a mysterious throat ailment.

## COBB IN CHARGE

Humorist Will M.C. Academy's Awards Banquet

Hollywood, Feb. 19. Irv Cobb will dispense the bon mots at the Academy Awards banquet Feb. 21, at the El Comodoro. Levinson, technicians' branch chairman, presiding in the absence of President Frank Lloyd. Later on South Seas location, Lionel Barrymore, 1930-31 star, will appear among the male players, will speak on behalf of previous awardees.

Ben Bernie, will play for the dancing, while a special band will do picture scorings during dinner.

## Acad Allows Additional Nominations On Awards; Pressure for Bette Davis

### He's Out

Hollywood, Feb. 19. A perfect strike thrown by Wendy Barrie resulted in an out on the 'It's a Small World' set at Fox. On the receiving end was Spencer Tracy.

Tracy stopped a 'piece of crockery with his right eye. Six stitches necessary to close the wound and he's out for a week.

## Court Ruling Takes Stickum from Wage Plasters on Aliens

Los Angeles, Feb. 19. The ace attachment slapper-owners of the film colony will hereafter get the 'haughty' stare from alien artists who have been declared legally immune from certain salary impounding processes by local court precedent.

Judge Kenny has ruled that under California law, simply sustained by the State Supreme court, transient actors, directors, writers, etc., are actually residents under an old statute prescribing the scope of wage plasters. And as residents the visitors may not have their funds attached in civil suits except in actions for damages involving direct or implied payment of money on contracts.

By this limitation the hitherto popular pastime of sticking financial blisters on defendants in all kinds of distress will be curtailed, and many of the best pay check stalkers and taggers will be charged no little.

Judge Kenny's ruling was given in connection with the release of \$35,000 of Max Reinhardt's funds, attached by the Habel Society of Paris in connection with the Societe's \$184,000 alleged breach of contract damage suit against him. Attorney A. R. Button got the release by pointing out an old California law which holds that for attachment purposes anyone is resident who is physically present.

## COURT BUDGETS FILM FAMILY: \$200 A WEEK

Los Angeles, Feb. 19. By court edict, \$200 per week provides adequate budget for a family of three to live up to Hollywood standards.

Sum was fixed by Superior Judge. Kenny in denying a motion to dissolve \$333 attachment levied against Kurt Neumann by Collier & Wallis, attached by the latter's suit against the Universal director for alleged agency commission debt of \$3,438.

Neumann contended he required a monthly average of \$1,017, plus \$50 weekly spending money additional, to live up to his station. His salary is \$500 per week.

## King, Estabrook Gender N. Y. Plays for Pic Buy

Hollywood, Feb. 19. Henry King, Fox director, and Howard Estabrook, writer, left for New York Saturday (16) to catch the current crop of Broadway shows.

They will work together on whichever play Fox buys.

## U Long-Term Lawton

Frank Lawton, who appeared in Universal's 'One More River,' has been placed under a long-term contract. He starts next on 'Delay in the Sun.' Blinn Barnes, who has been in England for the last few months, also will play in this picture with Lawton.

Lawton made only one for U which loaned him to Metro for David Copper.

Hollywood, Feb. 19. Following a wave of criticism that arose over nominations for Academy awards this year, organization has changed its procedure of electing in order to allow the writing in of additional names by those members not satisfied with the nominees.

Changing of the staid rule that allowed only consideration to those players and pictures first nominated is considered a radical departure and sets a precedent. Some original ballots already been mailed for membership voting, but these are being recalled.

Chief criticism of the nominations was aimed at the selection in the classifications for best work, respectively, of an actress and actor. This was followed by undercover moves at some lots to write in names on the ballot. Idea was that even if the ballots were not to be counted, the protestors would at least show a formal opposition to the official picks.

Academy members on the Warner lot were incensed in this movement, doing missionary work in favor of Bette Davis for her part in 'Of Human Bondage.' This spread to Metro, where a similar bolt was under way in favor of Myrna Loy.

When the Acad. board of governors learned of the threatened insurrection they called a hurried meeting and decided to legalize the 'write-in' method, which now makes the balloting between now and the date of the banquet, Feb. 27, a free-for-all and no chance of any winner tipoff until all the votes are in that night.

## GUIZAR'S FOX TRY

Hollywood, Feb. 19. Tito Guizar is finishing his CBS (radio) contract and is coming here on one picture deal for Fox, 'Argentina.'

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# Rockefeller Bid for Old Roxy Likely In Event U.A.-M.H. Deal Falls Through

The proposed deal for United Artists' product at the Radio City Music Hall has not been closed. Negotiations, which are pending, are part of an effort of the M. H. operators to acquire a sufficient supply of product for the coming year. Included are proposals to purchase, if possible, a selection of films from several major companies.

If the Rockefeller people are unable to get a selection from United Artists they may make a deal for the Roxy theatre, "Gladys" direct Rockefeller angle. Control of the Roxy could be had for around \$1,000,000 or slightly under. S. L. Rothman (Roxy) is not concerned with this angle in any way. However, it is understood that Howard C. Cullman, trustee of the Roxy theatre, who was to have returned yesterday (Tuesday) from Florida, will be the latter's chief consideration this week. What changes would be necessitated in the R. C. organization in the event of consummation of a Roxy deal weren't given.

On the surface the deal for UA product resembles a similar arrangement once proposed between the M. H. and Paramount. At a time when the Rockefeller family was in charge at Radio City, "If house can't get a selection it may buy combined programs, which, if bought, might give the Music Hall a quota of 1,000 or more films. Therefore, the angle of the Rivoli (UA) theatre for consideration to handle the extra pictures. In this situation the Rivoli would probably have first call on all Music Hall rejects. Otherwise the Music Hall may have to make cash indemnities to the Rivoli for the latter's loss of first-run UA films on Broadway."

W. G. Van Schmus, managing director of the Music Hall, has left for the Coast. Ostensibly he is on vacation. Whatever deal may be made for the Music Hall as regards films, such are subject to confirmation of the Radio City theatre board, and may even be subject to a veto from the Rockefeller Center directors. However, KGO is also a partner in the Music Hall operation and must be considered.

The UA deal with the Music Hall has no bearing on the Center theatre in Radio City. Goldwyn UA producer, is reported to have indicated reluctance on any deal which would give the Music Hall first pick on all UA pictures. He is due in New York Saturday (22). His eastern business manager, James A. Mulvey, gets in Friday, a day ahead. Mulvey had gone out two weeks ago at Goldwyn's call, ostensibly for vacation in the proposed UA-Music Hall proposition.

Joe Schenck, who also went west two weeks ago, taking Nathan Burkan along with him, will probably follow Goldwyn east. Dennis F. O'Brien, attorney for the Pickford-Fairbanks group in UA, is also on the Coast.

## READY DEFENSE IN ST. L. CASE

After considerable consultation, counsel for defendants in the St. Louis conspiracy case are at work preparing a defense in behalf of the companies and individuals named in indictments by a Federal grand jury. Lawyers do not want any line of defense tipped at this time, but claim the worry caused by the indictments has subsided.

Argument of the case awaits arrangements between representatives of the government and attorneys for the defense as to a favorable date when defendants would plead to at any time.

Defendants, by arrangement, put in an appearance in New York and posted bail.

### Cohen West

Emanuel Cohen may leave for the Coast today (Wednesday) or tomorrow.

Trip occasioned by his planned indie productions.

## New Copyright Act

New proposals affecting copyrights of photoplays, radio, musical and literary works, were made in Washington last week and are currently the subject of hearings before a committee set up by the State Department.

Film industry, which is opposed to American adherence to the Rome convention and would prefer to have U. S. join the Berne agreement, will submit its complaints and requests in connection with revision of the domestic copyright act to State Department Thursday (21). Contingent of Hays lawyers, headed by Edwin P. Kilroe, Fox attorney, and Edward A. Sargoy, associate of Gabe Hess, slated to attend confab.

A debated story of the situation appears in the Music Department of this issue of VARIETY.

## NEW L.A. EDICT CAUSES SOME CONCERN

Industry attorneys plan huddles this week over a new legislative bill in the form of a statute already adopted in Louisiana which would make all corporations doing business in that state keep complete records of records their Louisiana law goes into effect March 31, by which time "major" producer-distributors and chain operators must be prepared to meet its provisions.

Preliminary get-together of attorneys and other major representatives was held at the Hays office last Friday (16). There will probably be another meeting on the matter today (Wednesday). At the same time industry counselors are planning to go over a new Los Angeles ordinance, also already adopted, which will place a tax on the gross business of exchange theatres out there. Figured that where an exchange now pays around \$68 a year in license fees, under the new ordinance in L. A. the cost of operating a branch out there will be closed to \$1,000.

The Louisiana law would apply to all forms of business conducted with the state. One of the major companies are anxious to discuss the whether present subsidiaries of the big companies operating in that state can handle matters or whether new companies, separate from others and covering just the state, will have to be set up.

A chain like Saenger might have to set itself up separately for Louisiana, although operating in other states. The same would apply to other circuits doing business in other states as well, but at present keeping one set of books, getting out one set of statements, etc. Louisiana statute is claimed severe in that it calls for all records, including gross statements, profit and loss, disbursements, capital, etc. Distributors are seriously affected since they sell product in the state and maintain exchanges there. New Orleans being one of the key branch points, but keep the records in New York except for minor details.

## EYE INFECTION KEEPS LAEMMLE FROM STUDIO

Hollywood, Feb. 19. With prospects slim for an immediate complete recovery, Carl Laemmle, Sr., goes into his seventh week of confinement at home with a stubborn eye infection. Why not serious the orb must be protected. Laemmle was compelled to miss his first premier in a long time, "Good Fairy," and is restive at the restraint. He is not even permitted to read or to transact business on the phone.

## WRITERS AS PRODUCERS

Warners Watch Experiment as Baldwin Draws Double Chore

Hollywood, Feb. 19. Warners is watching the outcome of East Baldwin's combined writer-supervisor efforts wherein that writer will produce his own stories. If it works out okay, other writers on the lot will receive similar dual responsibility. Studio figures that in some cases writers can better get their work on the screen without taking the route via-supervisors who may not be in complete sympathy with the writer's efforts.

## COIN SET FOR A.T.&T. PROBE

Washington, Feb. 19. Cash for Communications Commission probe of American Telephone and Telegraph Co. and affiliated interests is on the way following Senate approval of resolution appropriating \$750,000 for inquiry and extending criminal powers to put telephone trust affairs under microscope.

While House is taking its time, there was no doubt funds will be made available by the end of the week and the commission clothed with sufficient authority to give A. T. & T. a going-over from cellar to garret. Little opposition was evident as Senate and House may have a resolute without a record vote and House Interstate Commerce Committee gave the proposition its blessing.

## May Place Matter Of Momand Brochure Before MPTOA Confab

Militant exhibitors who dip their pens in vitriol and publicly scream about abuses and evils within the picture industry, are hurting themselves as well, according to Ed Kuykendall, exhibitor leader and president of the MPTOA.

Kuykendall is steamed over the recent brochure of A. B. Momand, Oklahoma theatre owner, and condemns this and similar attacks with recent legislators and the public. Momand, stung by denouncing producer-distributors, the Hays office and the NRA, mailed his pamphlet to all Senators and Congressmen in Washington, state governors, university presidents, leading newspapers and influential citizens.

Kuykendall may bring up the question of Momand's attack on the floor of the coming MPTOA convention in New Orleans. In such case intent will be to inspire support among independent exhibitors against complaints which are allowed, or are intentionally aimed, to circulate outside of the business. These complaints, says Kuykendall, regardless of their authenticity, are too readily believed by outsiders including law-makers, reform busybodies, newspaper editors, etc.

## MPTOA Drafting No Code Revision, But Will Lift Lid to See What's What

Exhibitor leaders are not drafting any tentative revision of the picture code, nor are any committees making a report on NRA prior to the MPTOA convention (Feb. 25) in New Orleans, declared Ed Kuykendall, MPTOA head, prior to his departure for Columbus, Miss. He left Saturday (16) and will remain south until after the convention. Kuykendall stated that there is no particular revision of the code in mind adding, "We aren't condemning before we are sure of things." The MPTOA president hopes, however, for an open discussion on the code.

With major theatre chain and distributor representatives, plus advertising-publicity directors and others, on hand, convening at the convention, it's fine chance to review the code from all angles and

## WB Suit Against Nat'l Screen Will Clarify If Trailers Are Accessories

### Katz Story Plan

Hollywood, Feb. 19. Sam Katz, responsible to Metro for 25 pictures annually, will launch a new policy of story preparation which is hoped to cut present costs on that phase of production up to 75%. It is also hoped to eliminate executive conferences.

After a rough treatment is drawn, Katz would be mullied and its future course definitely laid. Aim is to eliminate as many as five or six writers on a single picture.

## FEW COHEN MEN' AFFECTED AT PAR

Lou Diamond, who is also Paramount's music publishing head, remains in charge of short subject production in the east, and A. J. Richard continues as editor of the Paramount News, with Bill Montague as his assistant. Both were brought into Par by Emanuel Cohen and up to later departure from the company have been taking orders from Cohen and his New York assistant-contact, Dorothy Kreider. Latter, together with another appointee of Cohen's, George Palmer Putnam, are out.

Putnam, brought in by Cohen two years ago, was placed into the scenario department at the home-office as an idea man without duties much more definite than to figure out angles for pictures. He will not be replaced. Among ideas of Putnam's was that which was developed by Par writers into "Wings in the Night" recently released. He is the husband of Amelia Earhart, and came to Par from G. F. Putnam Sons, publishers.

Dorothy Kreider, whom it is believed, will string with Cohen in his future plans, was brought into Par from Pathe News along with Diamond when Par called in Cohen to organize a new venture. She has been at home office in behalf of Cohen on newsreels and allied eastern production.

By his election to the vice-presidency over the picture subsidiary, Putnam is given enough respect to authority on both shorts and the newsworld next to Adolph Zukor, who holds title of president in the various picture divisions. It is reported that Diamond had offered his resignation with parting of ways between Par and Cohen is declared incorrect.

Unofficially, with no immediate action in regard to changes planned, both the shorts and newsreel departments are on their own at the moment.

Report that Diamond had offered his resignation with parting of ways between Par and Cohen is declared incorrect. Unofficially, with no immediate action in regard to changes planned, both the shorts and newsreel departments are on their own at the moment.

There is also the chance that the convention may tear the present code to pieces, but it is not expected that there is going to be any radical changes in thought. Technical experts will be on hand to acquaint exhibitors with everything modern in lighting, equipment, etc. Latest to accept an invitation is James P. Clark, president of National Film Carriers, who will discuss film delivery and service.

Point as to whether an exhibitor buying product from a major company has a right to advertise that product according to his desires, or whether the present exhibition contract in vogue which specifies the theatre must use a major's accessories, also includes the exhibitor as to trailers, is raised as a result of the Warner suit against National Screen Service. WB during the past week filed an action against National charging that latter, in making trailers independently on Warner pictures, was an unfair trade practice and in violation of copyright.

Suit arises out of production by National Screen of trailers on Warner pictures in opposition to WB's own trailers on the same films. In view of the decision of both Warner and Metro to make their own trailers, National figured out a means of servicing its exhibitor accounts with screen advertising on product of these two majors. By putting up their own sets and hiring talent, National is getting out trailers without using any scenes of dialog from WB or Metro pictures. Under its blanket servicing contracts with exhibitors, National is committed to supply trailers on the product of all major companies and is giving its exhibitors the specially produced, musical, on WB and Metro films, for use if they want it. If preferring to buy the trailers Metro and WB produce themselves, the exhibitor is free to do so.

While film men look to a decision on the suit with interest, particularly as to whether trailers can be considered accessories, the exhibitor is concerned as to his freedom with respect to advertising or other service.

Metro has not prepared an action as yet, having not gone far enough in the trailer-business itself to judge whether the screen advertising being turned out on its pictures by National Screen is hurting. Basis for complaint in an action of this kind must be damages to business.

National Screen issued a statement which read in part:

"Warner Bros. have certain rights under the copyright laws. These rights National Screen has always respected. National Screen emphatically denies that it has infringed in any manner whatsoever, or that it has been guilty of any unfair methods."

## Chaplin Pic Tied Up By Delays, Won't Be Released Until Fall

Hollywood, Feb. 19. Annual United Artists meetings will extend the production shut down of Charles Chaplin's picture for at least another week. Picture has been at a standstill for the last fortnight with the comedian confined to his home suffering from a flu attack.

Slowing up of production indicated the picture will not be ready for release until the fall. Chaplin's original plans were to have the picture ready for release before the hot weather. He made a production schedule indicated he would work up to it. Plans fell by the wayside due to illness, meetings and Chaplin's usual method of taking his time.

### Einfeld South

S. C. Einfeld, Warner publicity head, leaves New York tomorrow (Thursday) for New Orleans and the convention of the Motion Picture Theatre Owners of America. He returns immediately to New York.

### McCarthy's Coast Trip

J. J. McCarthy, of the Hays office, leaves for the Coast this Friday (22) to confer with Joe Brown. McCarthy will be out there two to three weeks, returning direct to New York.

# GANGSTER CYCLE UP AGAIN

## Figure Par Reorg Peace If Vanderlip-Fortington Chairmen; Court Issues Order for April 4

Close observers now see a chance to peace between the two main contending forces in Paramount's reorganization picture, namely, the naming of Frank Vanderlip as chairman of the new board and H. A. Fortington as chairman of the finance committee.

Meanwhile, reports persist of the possibility of Charles E. Richardson, considered Erpi's nominee, as a new president of the company. In such an eventuality, Adolph Zukor would become chairman of the board, and any peace move between Vanderlip and Fortington would go by the boards.

Cross-currents also continue that the Fortington group intends to fortify its position in the reorganization picture by buying up certain bank claims. The total bank claims amount roughly to \$13,000,000. Paramount's present plan makes \$5,000,000 cash available to liquidate part of these claims. Therefore, it is figured that the Fortington group would require \$8,000,000 to \$9,000,000 to accomplish control of the bank claims. It is held that there are funds which have been made available to the Fortington group for such a purpose, and more if necessary.

The Richardson possibilities as president are complicated by possible inquiry on such a Par status for him by Washington due to his Rm. connection. Already this possibility has been detailed as made known to Attorney Alfred Cook.

(Continued on page 50)

## See Settlement Of Par-E. Loew Anti-Trust Suit

The \$500,000 E. M. Loew anti-trust action against Paramount, pending for some years, will probably be settled for a cash figure, plus operating agreements between Par and Loew, an indie chain owner in New England. Paramount trustees are in agreement with Loew, except for final details, and will likely file a petition some time this week for approval by Referee John E. Joyce. Expectations are that the courts will okay the compromise.

However, no intention on the part of the trustees to compromise the \$500,000 anti-trust suit brought against Par and others several years ago by A. B. McGee of Oklahoma. Indle, it was stated yesterday (Monday). One reason, it is explained, is that this suit involves too many others, including the MPTOA (Hays Office). Trustees, however, plan to file exceptions to a recent decision by Referee Joyce against disallowance of the claim filed by Monand against Par.

Austin Keough, Par's legal head and v-p of major subsidiaries, has been in Boston on the Loew settlement. He is expected back today (Wednesday).

### GOLDWYN'S 10 WEEKS

Off for Europe as Staff Prepares Three Pictures

Hollywood, Feb. 19. Samuel Goldwyn leaves tomorrow (Wednesday) for New York and Europe. Producer remains in New York for opening of 'Wedding Night' and then goes across.

Goldwyn expects to return here in 10 weeks. During his absence his staff will prepare 'Dark Angel', 'Barbery C' and the next Cantor film. First two slated to go into work around May 10.

### Mary as Producer

Hollywood, Feb. 19. New producing unit now being formed will make Mary Pickford pictures for United Artists release. Mary Pickford, Sam Goldwyn and Charles Chaplin are to be the principal stockholders. Dennis O'Brien, New York attorney, is here working out the details for Miss Pickford to take over production duties. Miss Pickford may play in one herself.

Tentative name for the new company is Pickford Productions.

## UA'S FIVE-YEAR PACTS; SKED 31 PIX

Hollywood, Feb. 19. United Artist stockholders, at their annual meeting here, voted to give five-year contracts to all present producing members and to increase the 1935-36 output from Hollywood to a minimum of 25 pictures.

Just how this product is to be allocated among the production companies has not been settled. Tentatively, it was set for Twentieth Century to make 12; Sam Goldwyn, six; Reliance, four; Mary Pickford, one, and Charles Chaplin, two, in addition to the one on which he is now working.

The Chaplin and Miss Pickford contributions will be productions by these two, but in which they do not appear. Chaplin is expected to produce and direct two in which Pauline Goddard will be starred. Miss Pickford's plan is for one, probably more, featuring some new star yet to be picked. She will do the type of films which brought Miss Pickford fame.

Plus the 25 pictures to be made here it was also decided to have Alexander Korda make four and Herbert Wilcox (British & Dominion) two in England.

It was also announced that Douglas Fairbanks might make a picture in Europe covering his travels. The five-year contract plan is to cover product from the member companies, Twentieth Century and Reliance. Ratification of these pacts, however, is not yet final.

## MASTBAUM TO CLOSE MARCH 2

Going on notice yesterday (Monday), the Roxy-Mastbaum, Philadelphia, is slated to close March 2, with S. L. Rothafel severing his relations with Warner Bros. as operator of the house and producer of the stage shows there. Stage policy reopened the Mastbaum week prior to Christmas.

At one time WB discussed bringing Rothafel into New York for the installation of a stage show policy at its darkened Hollywood on Broadway. This idea is off altogether, it is said.

The Mastbaum will remain closed indefinitely, with Warner's continuing operation of the Stanley, Boyd and its other Philadelphia theatres. Rothafel's future plans are not known.

## USING MORAL ANGLE AS TWIST

Studios After Public Enemy Types—Glorify Federal Agents as Change—Test Dillinger, 'Baby Face' Nelson Doubles

### FIGURE ACTION FILMS

Hollywood, Feb. 19. Major studios are getting around to gangster yarns again. Within the next two months a cycle of public enemy operas, based on the efficiency of federal agents, is due for launching.

Stories are listed to tie the Dillinger and Baby Face Nelson characters and gangs. One producer has gone so far as to test players who have a physical resemblance to Dillinger.

Studios will try to take the curse off these yarns by weaving a 'crime doesn't pay' aura around the law breakers. This method was also used to taper off the previous gangster cycle.

Ice on the gangster theme, taboo for the past year, was broken by Columbia with 'Whole Town's Talking'. This caused Paramount to buy 'Federal Dick' W. R. Burnett's 'Dr. Socrates' is a story based on the face-lifting of a public enemy for purposes of disguise. Latter is a direct Dillinger angle. Warners then started to work on a like story.

(Continued on page 50)

## SCHAEFER AND ZUKOR EAST

Hollywood, Feb. 19. Figuring on completing production conferences with Henry Herzbrun and Ernst Lubitch toward the end of this week, Adolph Zukor and George Schaefer are due to pull out for New York this Thursday or Friday (23). They will not make stopovers at Dallas and New Orleans as originally planned.

During past week Par execs discussed productions and release lay out for the balance of current year.

(Continued on page 25)

## Schenck-UA-Blumey Fox-Met Bid; Deal Would Involve About 80 Houses

Joseph M. Schenck, with A. C. Blumenthal, and through Milton Welsman, receiver for Fox Theatres, have made a combined offer on behalf of United Artists for control of Fox Metropolitan Theatres (about 80). United Artists would put up around \$500,000 with Fox Theatres in return for the upper hand on that group of houses, which would provide U. A. with the film buying rights on Fox Met in addition to having Schenck himself become the Fox Met president. Fox Theatres would provide an additional \$300,000, making the total cost around \$800,000. Schenck and the bondholders' group are scheduled to confer on the proposition today (Wednesday).

Negotiations have been on for several weeks. Blumenthal has been contacting receiver Welsman, of Fox Theatres, for several months. It dates back to about the time when Blumey's deal with Warners and

## Supreme Court Dismisses Fox Appeal on Muller (Minn.) Suit, But Path Left Open for Review

### Gold and Films

Washington, Feb. 19. Film producers and theatre chains were relieved of the possible burden of scraping up \$1.53 for every dollar's worth of outstanding gold bonds yesterday (Monday), when the U. S. Supreme Court, by a voting of five to four, upheld President Roosevelt's monetary policy.

Although detailed information was not available, film men here pointed out that the decision means that film corporations are now freed from a threatened financial burden running into the millions.

## SKOURASES SET TO OP. NAT'L FOR 10 YRS.

The Skourases, Spyros and Charlie, are to operate National Theatres, the Fox-West Coast group, for a period of 10 years under a new agreement on which all sides are in accord. National is the newly organized company which acquired R-WC on a bankruptcy reorganization sale a few months ago.

Contract under which the Skourases brothers continue operation of this large western chain was set but for finishing touches during the past week. Clearing up major details on the deal, S. R. Kent, president of Fox, left for Florida Thursday (14). He will be away from New York around a month, planning to attend the MPTOA convention in New Orleans and possibly shooting Westward from there for a brief visit to the Fox studios.

### Waits to Watch

Hollywood, Feb. 19. M. H. Aylesworth has postponed his return to New York until after the running of the Derby here Saturday (23).

Washington, Feb. 19. Appeal of Fox Films from the ruling of the Minnesota Supreme court that standard exhibition contracts are 'tainted' with illegality was dismissed yesterday (Monday) by the U. S. Supreme Court, but way for a review of the agreements was left open.

Court threw out the Fox appeal in latter's case against A. B. Muller, Minnesota exhibitor, with the observation that 'it appears that no final judgment has been entered' and it had granted a writ of certiorari 'improvidentially'.

Effect of action is not to settle the case, and uphold the Minnesota Supreme court, but to require Fox to make a new effort for Supreme Court review when the Minnesota judgment does become final.

Case involved question of whether standard contracts are illegal because of inclusion of the arbitration provision. Muller held that whole contract was tainted and in violation of the Sherman anti-trust act, consequently refusing to pay for certain features shipped by Fox in accordance with the deal. Minnesota trial court decided in the exhibitor's favor and refused a new trial, while the state supreme court

(Continued on page 62)

## Tax Wrinkle on A. O.'s Par Claim Can Stall Reorg.

Conferences have started on behalf of Paramount to definitely settle the \$25,000,000 claim against the company by Allied Owners. It was presumed that since the present reorganization plan carries a contemplated settlement with Allied Owners in detail, and for around \$5,000,000, that the matter had been settled. In fact, Allied Owners was granted representation on the new Paramount board. However, a question involving the probable payment of \$25,000,000 in Federal taxes by Allied Owners has stymied the situation and possibly Par's reorganization plan.

S. A. Lynch, who was in Florida for a few days rest was summoned back hurriedly to help Paramount clear the Allied matter. Lynch is chairman of the advisory committee on Public theatres as appointed by the Trustees.

Attorney Monroe Goldwater on Thursday (14) frankly told the court that the trustees of Allied Owners did not feel that they could accept the settlement as proposed in the plan. His remarks, however, drew little reaction from counsel in attendance. This may indicate that the lawyers concerned with Par's reorganization feel that Allied Owners will have to stick by their understanding as contained in the present reorganization plan.

Failure to agree with Allied Owners may cause a postponement in the promulgation of the company's reorganization plan. Allied Owners' claim is among the biggest filed, and even on the basis of the plan's contemplated settlement amounts to around one-sixth of the total claims. Additionally, any change in the amount of settlement of the Allied Owners' claim, such as allowing an increase above \$5,000,000, may throw the whole plan off balance and possibly will have to stick by their understanding as contained in the present reorganization plan.

Allied Owners' move in this respect came as a surprise.

Hollywood, Feb. 19. Joe Schenck planned to New York today (Tuesday) on the Fox-Met matter, and returns by air, arriving Saturday (23) for the Derby race.



# STRONGLY SITUATED AMUSEMENT STOCKS SWING UPWARD WITH GOLD VERDICT

The stock market slipped back in reduced trading yesterday (Tuesday) after the strong rally of the previous day. Volume fell to little more than 1,000,000 shares and industrial averages declined 1.28 points. Leading amusement issues also lost ground, but principal losses were of a fractional character. Eastman Kodak common, however, edged to a new 1934-35 top at 128 1/2. Fox-A was an exception, showing a minor gain and closing at 11 1/2.

Decision of the Supreme Court Monday (18) abolishing the government, 5 to 4, and ruling that Congress must be left free to deal with monetary matters as it saw fit brought a big upsurge in one market prices, issues were up one market point shortly after the decision was handed down at noon. Result was that the Dow-Jones industrial averages finished Monday up 4.51 points at 107.17. Averages earlier had forced ahead to 108.29 before meeting profit-taking. It was virtually the largest trading day since last July, transactions running to nearly 2,000,000 shares.

As has been fairly long time, the Amusement group was so strongly situated that it immediately joined the grand rush upwards. As a consequence, the averages for 12 stocks in the group were up 1.97 points at the closing Monday. The group average got up to 27 1/2, the highest point touched in nearly 12 months. The close was at 28 1/2. During the reactionary trend of many stocks early last week the amusements had sunk to 24 1/2. Despite the lack of interest most of last week, the total volume for the group was 184,200. And the great bulk of this trading came on Monday.

Columbia Pictures—certificates, which had been firm even last week, slid up to a new 1935 high at 41. The stock wound up at 40, where it made ahead 2 1/2 points. The low mark was 37 1/2.

Eastman Kodak common, which had previously gone to a new top on declaration of a higher dividend, continued to go upwards Monday and established a new high for this year and 1934 at 123. It closed at this level, up 8 1/2 points. Low was 115 1/2, which was still a point ahead of the previous week's trading level. The preferred hit 147 for a point gain.

Loew common rallied to 36 1/2, just an eighth from its high point of 36 3/4, last year. It closed Monday at 36 1/2, up an advance of 3 1/2. Paramount certificates ran up to 3 1/2, but ended the day ahead only a quarter at 3 1/4. Pathe-A came to life Monday and advanced to 16 1/2, up 1 1/2 points.

RCA Issues—All Radio Corporation of America stocks were strong. The common soared to 5% on greatly increased volume. It was ahead nearly a point at the close. Radio preferred A equalled its previous high for the year by closing on top at 62 1/2. Here it showed a gain of 1 1/2 points. Radio B, the other preferred, came within half a point of its previous high by shooting up to 45 1/2. It wound up at 45, an advance of 3 1/2 points.

Preferred A sold ex-dividend yesterday (Tuesday), but declaration of an 8 1/2 cent dividend payable in April added materially to the "boosting" interest in this issue.

Warner Brothers common was another firm spot, the issue going to 34 before meeting profit-taking. (Continued on page 27)

## Hazel Jamison Story Editor for Laemmle, Jr.

Hollywood, Feb. 19. Appointment of Hazel Jamison, formerly in the story department as story editor, is the first move of Carl Laemmle, Jr., to organize his executive personnel. Scene of the editor and production manager will be named later in the week. Laemmle, Jr., will put "Show Boat," first of his remaining six pictures for U this season, into work early in April.

## Yesterday's Prices

Sales	High	Low	Last	Net
1,100 Col. Pict.	40 1/2	38 1/2	39 1/2	—
1,000 Fox-A	128 1/2	126 1/2	127 1/2	—
1,000 Fox-B	11 1/2	11 1/4	11 1/2	—
1,000 Pict.	12 1/2	12 1/4	12 1/2	—
8,500 Loew	28 1/2	28 1/4	28 1/2	—
1,800 Pat. A.	16 1/2	16 1/4	16 1/2	—
100 Pat. B.	15 1/2	15 1/4	15 1/2	—
13,100 RCA	28 1/2	28 1/4	28 1/2	—
2,800 RKO	15 1/2	15 1/4	15 1/2	—
5,000 W. B.	36 1/2	36 1/4	36 1/2	—

CURB

4,800 Trans-L. 15 1/2 15 1/4 15 1/2 —

400 Trans-L. 3 1/2 3 1/4 3 1/2 —

BONDS

5,000 Gen. Tr. A 7 1/2 7 1/4 7 1/2 —

48,000 Loew 104 1/2 104 1/4 104 1/2 —

2,800 Pat. A. 16 1/2 16 1/4 16 1/2 —

1,000 Pat. B. 15 1/2 15 1/4 15 1/2 —

10,000 Pat. C. 6 1/2 6 1/4 6 1/2 —

22,000 W. B. 35 1/2 35 1/4 35 1/2 —

New 1934-35 35 1/2 35 1/4 35 1/2 —

## ACTION PIX ON MAJOR SKEDS AGAIN

Hollywood, Feb. 19. Feeling that there is a definite place in their programs for class B features, Paramount, Radio and Metro are planning to produce a series of pictures for this market, a production cost of under \$200,000. At Paramount, this series may or may not replace the Zane Grey westerns on the program. Later phase has not been decided.

Metro's idea is to turn out six of these lower priced features on this year's program. Radio abandoned class B pictures last year but since that time has felt that this type of picture should be returned to the program if the budget is limited to around \$175,000.

Belief is that these short-budgeted pictures, with possibly one or two names the cost, being strictly action pictures will be in demand in numerous spots, particularly the far and middle west, as week-end pictures.

Recent survey made by one of the releasing organizations indicated that the action picture took precedence over top stars and name pictures on Saturday and Sunday bills. Majors are convinced this is an outlet they have been overlooking.

## Flying East

Hollywood, Feb. 19. Ned Depinet and A. H. McCausland left by air for New York Sunday (17).

## L. A. TO N. Y.

M. H. Aylesworth.  
Nash Beery.  
Charles Buckley.  
Leonore Cohen.  
Sherrill Cohen.  
Frederick Collins.  
William Cowan.  
Ned Depinet.  
W. H. Van Dyke.  
Howard Etabrook.  
James Fitzpatrick.  
John Flynn.  
Samuel Goldwyn.  
Cedric Hardwicke.  
Henry King.  
Arthur Loew.  
Ray Long.  
A. H. McCausland.  
Frank Morgan.  
Johnny Murray.  
Bob Ritchie.  
Mike Rosenberg.  
Rosalind Russell.  
Joe Schenck.  
Louis A. Solomon.  
John F. Wharton.

## N. Y. TO L. A.

Frank Altshack.  
Reginald Barr.  
Emanuel Cohen.  
Aileen St. John Brenon.  
William L. Fliske.  
Emanuel Cohen.  
Gloria Gilton.  
Dorothy Hall.  
Beatrice Hendricks.  
Fanny Holzman.  
J. W. McCarthy.  
Cavin Mizer.  
Bela Piazza.  
W. G. Van Schmus.  
Tina Whelan.  
John Hay Whitney.

## O'Reilly Coastbound

Los Angeles, Feb. 19. Charles L. O'Reilly, head of the national Theatre Owners' Chamber of Commerce, arrives here late this month. He's combining his with pleasure on his 10 days' stay.

## KNOCK \$425,000 OFF THEATRE ASSESSMENT

Syracuse, N. Y., Feb. 19. Taking cognizance of the marked changes in show business during the last few years, assessment reductions totalling more than \$425,000 have been ordered on the RKO Keith theatre property here in a decision handed down by William H. Mitchell, referee, who heard evidence in certiorari proceedings instituted by the B. F. Keith Corp.

Corporation asked reductions on both the 1933 and 1934 assessments of \$1,001,600 each year. Referee cut the 1934 assessment to \$797,097, and the 1933 assessment to \$773,168.

Significance of the decision is demonstrated by the fact that the RKO theatre had offered to cut the 1934 assessment only \$34,000. Theatre corporation stressed the passage of vaudeville, which made costly backstage equipment obsolete; called attention to the "opposition" of radio and the automobile, and cited that there had been a serious loss of revenue as post-production beer gardens and cafes added floor shows and orchestras to entertain patrons.

## WB RADIO PIC YEARLY IF 'JAMBOREE' CLICKS

Hollywood, Feb. 19. Warners will make Radio Jamboree of 1935, in-type similar to Paramount's "Big Broadcast" film, and will make such an air picture annually if the first one clicks.

As did Paramount, Warners will utilize top chain acts, photographing the ether personalities in New York. Only one set is Rudy Vallee. Picture is now in the writing stages with George Bricker and Manny Selt handling the script.

## Hauptmann Talks

Paramount News today (Wednesday) has Bruno Richard Hauptmann speaking from his prison cell direct to a newreel camera. Newreel shows an exclusive on the clip in alowing Hauptmann as the first man under death sentence in U. S. history to speak to and be seen by audiences.

Besides maintaining he is innocent, Hauptmann appeals for funds.

## WB's Partial Decentralization

## 12 Zone Managers to Inaugurate Semi-Autonomous Theatre Operation

Twelve Warner zone managers have come back to their territories after a three-day conference in New York at which certain operating decentralization plans were agreed upon. Whether further decentralization of home office functions will be determined is not indicated now but may depend on results of initial moves made in that direction.

In addition to splitting up the huge Philadelphia division into zones, for purposes of more decentralized operation and economy, both I. J. Hoffman and Moe Silver heneoforth will headquarter in and operate their territories locally instead at the home office. Each will be almost continually traveling to and through their divisions, as they've been doing. Hoffman will settle in New Haven

## 1st Runs on Broadway (Subject to Change)

Week of Feb. 22  
Actor — "Grand Old Girl" (Radio).  
Capitol — "Sequoia" (MG).  
Music Hall — "One More Spring" (Fox) (21).  
Mayfair — "Marines Are Coming" (Mascot) (21).  
Paramount — "Rumba" (Par) (20).  
Rivoli — "Folies Bergere" (UA) (22).  
Roxby — "Night Life of the Gods" (U).  
Strand — "Sweet Music" (WB) (21).

Week of March 1  
Capitol — "Office Wife" (MG).  
Music Hall — "Whole Town's Talking" (Col) (28).  
Paramount — "Mississippi" (Par).  
Rivoli — "Folies Bergere" (UA) (22 wk).  
Roxby — "Murder on a Honey-moon" (Radio).  
Strand — "Sweet Music" (WB) (22 wk).

## U Calls Off Indie Deal with Ostrow, Stays as Producer

Hollywood, Feb. 19. Universal and Lou Ostrow have mutually terminated their deal for Ostrow to release his independent features through U and Ostrow goes with the studio as an associate producer to make two features. First will be "Lady Tubbs" by Homer Crox. Niven Busch has been engaged to write the screen play.

## 'Ibbetson' Shelves After Making Rounds at Par

Hollywood, Feb. 19. Paramount is shelving "Peter Ibbetson" for the time being. Picture may be permanently shelved. Picture was originally scheduled to be Brian Aherne, later switched to Gary Cooper and Ann Harding. Commitment for Moe Harding will probably be switched to another picture.

## Solomon East to Close Indie Franchise Deals

Hollywood, Feb. 19. Louis A. Solomon, head of Puritan Pictures, is en route east to close franchise deals on his product with state right exchanges. He starts releases of the new organization in April. C. C. Burr is producing two series of action features for Puritan. Solomon is due back here late next month.

## Schulberg Connects?

Hollywood, Feb. 19. B. P. Schulberg is due in next week. Reported he has closed financial arrangement with Epi for the three pictures he contemplates making as an indie.

## Propose 2 Small Theatres on Crit. Loew's N. Y. Site

Two theatres, each of smaller capacity than the arena, may be built on the Criterion-Loew's New York theatre site in Times Square, New York. It's one of the ideas proposed by real estate interests considering development of the property on a foreclosure sale, expected to come within two months. Date for a foreclosure sale of majority of the big plot to satisfy a mortgage of the City Bank Farmers Trust Co. of \$4,000,000, is expected sometime in March. City Bank, meantime, is straightening out the situation with respect to participating certificate holders. Any foreclosure sale will have to be advertised for three weeks and the Par trustees, through Seneca Holding Co., notified of the proposed public auction.

The Par trustees hoped by advertising for bids, to possibly reach some kind of a deal but undertaken none was received. Trustees about the year ago, when \$170,000 to the City Bank to clear up a full year's back taxes and penalties, with the Par subsidiary, Seneca Holding, assigning rents it collected to the bank. Now, the trustees decided to get court authorization to give up the property.

The City Bank mortgage covers property in the big lot assessed at \$5,880,000. There are two other parcels in the Par property, the Lenox hotel assessed at \$215,000 and a smaller plot on 44th street assessed at \$121,000. This places total assessed value of the big site at \$6,222,000, with the City of New York threatening to raise the tax rate this year.

The Emigrant bank holds the mortgage on the Lenox hotel piece and will bring foreclosure action, it is said. An individual holds the mortgage on the \$121,000 parcel and may also foreclose.

## NEW RIALTO TO SEAT 600-850; MAYER WILL OP

The new theatre to replace the Rialto, N. Y., on the same site, now looking almost certain to be built, will not be less than 600 seats in size nor more than 850, with owners ready to talk terms with Arthur Mayer on a percentage basis. House is at present on a basis of 16% of the gross as rent. Lawyers for owners of the property who propose improving it, have been in conference with Mayer's attorney during the past week.

A guarantee would apply against the cost of the Rialto. Mayer had Mayer interested in a new house to replace the present Rialto, even if its seating capacity will be less than present Rialto's 1,960.

## In the Spring Univ.'s Fancy Turns to Musicals

Hollywood, Feb. 19. Following a season of mystery thrillers the past few months, Universal will go musical during March, April and May with "Great Ziegfeld," "Showboat," "April in Paris" and "Sing Me a Love Song" coming.

"Bride of Frankenstein" and "Werewolf of London" dreudrels are still in work, to follow the already released "Edwin Drood."

Directors for two of the musical features were assigned last week, Edward Sutherland for "Ziegfeld," and James Whale for "Showboat."

## Mort Blumenstock Ups

In line with Warners' partial decentralization policy, Mort Blumenstock, circuit's advertising director, is elevated to first assistant to Joseph Bernhard on theatre operation. Blumenstock has been head of the chain for some time and will continue to direct advertising in addition to newer duties.

W. Stewart McDonald remains as his post as comptroller.

# ONCE OVER LIGHT, ON CODE

## Full Gov't Support for Enforcement Of NRA Seen in Huffman-Denver Case

That the Government means business and will throw its full weight in support of the Film Code Authority decisions is seen in the recent action by the U. S. district attorney's office in the Harry B. Huffman automobile-lottery dispute in Denver. Byron Rogers, assistant district attorney, representing the federal government, has filed a detailed answer in which he raises a number of issues not touched on by Huffman when he sought a temporary restraining order in the U. S. Circuit Court of Appeals, Oklahoma City.

Rogers' outline of the facts makes the pending action in the Denver district court loom as virtually a re-statement of the case. The assistant d. a., after denying in substance the allegations of the complainant, attacks the Huffman interests as entering into a conspiracy, the effect of which is to restrain the interstate shipment of motion picture films. He also points out that this tends to create a monopoly in the city of Denver.

A. Rosenblatt, divisional administrator, will be an important witness for the Denver grievance board when the action comes up in the district court. It was reported on reliable authority.

### Ford Car Giveaway

The Huffman case started in Denver, where he is an exhibitor, when a competitor complained that Huffman was violating the lottery section of the code. The Denver grievance board found Huffman guilty after it was discovered that he was giving away a Ford automobile by means of drawings. The Denver man lost his appeal to the Code Authority, and his film service was cut off. Then Huffman went to the district court, where his appeal for an injunction was refused. The Denver exhibit next appeared in the U. S. Circuit Court of Appeals in Oklahoma City, where he was granted a temporary restraining order, pending the trial on merits in the district court of Denver. Rogers and Assistant U. S. Attorney General Masten White, of Denver, defended the action of the Denver grievance board at this hearing.

Under the temporary restraining order and until the outcome of the trial in the Denver district court is known, Huffman will be able to get film service.

## Coast Z-C Officer Charged with Code Breach, Ask Ouster

Los Angeles, Feb. 19. Harry H. Hicks, member of the Los Angeles film zoning and clearance committee, and vice-president of Associated Exhibitors, affiliate of the Motion Picture Theatre Owners of America, goes to trial today before the local grievance board on charges that he violated the code of fair competition of the industry by resorting to reduced admissions through sale of coupon ticket books.

Complaint, filed by Jack Berman, both as owner of the Meralta theatre and as director of the Independent Theatre Owners of Southern California, in addition to demanding that Hicks resign from the z-c board, calls upon the grievors to order a setback for Hicks' Arlington theatre from the 25c to the 20c brackets for four weeks, or until all coupon books sold at the reduced admission have been refunded.

Hicks had discontinued the sale of the coupon books prior to the filing of the complaint, and announced his willingness to sign a desist order if so directed by the griev board.

## Publix Squawks on Minneapolis Indies

Minneapolis, Feb. 19.

Four more complaints filed by Publix circuit, making five in all, the latest move in a campaign here to stop all schemes like lottery gift and bank nights. Cases are scheduled for hearing by the local grievance board this week.

Publix complaints, the first filed by the big circuit since the code inception, are against five independent Twin City suburban houses—the Edina, Boulevard, Garrick, Strand and Roxy. Unfair competition in violation of the code through the employment of lottery gift and bank nights is charged.

## K.C., N.H., Milw. Z-C Skeds Next Tackled by C.A.

With the Los Angeles clearance and zoning schedule out of the way, the Film Code Authority is expected to take up the skeds for Kansas City, New Haven and Milwaukee when the C. A. hearings are resumed.

The absence of John C. Flinn, C. A. secretary, who was on the west coast cleaning up details of the L. A. schedule last week, delayed consideration at last week's confab. The actual schedule for the L. A. area will not be drawn up and placed into effect until after Flinn returns. Loose-end details, which the C. A. left for the secretary to handle, apparently have been ironed out in Los Angeles by Flinn. Consequently, if the authority here approves (Continued on page 60)

## FLINN CLEARS UP L. A. ZONING SKED, HOPS EAST

Hollywood, Feb. 19.

Satisfied that the zoning and clearance situation here has amicably cleared up for him to take his leave, John C. Flinn, executive secretary of the Code Authority, hopped a plane to New York Saturday (18). After a short stay in the east he moves to Kansas City on code matters and then will busy himself with New Haven, Conn., adjustments.

Also likely that Flinn will put in appearance at the MPTOA convention in New Orleans.

Expected Los Angeles zoning and clearance schedule which John Flinn took back to New York for final approval will be okayed at Thursday's (21) session.

Flinn is due in New York tomorrow (Wednesday), stopping off at Kansas City en route. As soon as okayed, sked will be put into effect here immediately.

## Buckley East for F-WC in CA Overbuy Hearing

Los Angeles, Feb. 19.

Charles A. Buckley, head of the Fox West Coast legal department, left the middle of last week for New York where today (Tuesday) he is scheduled to appear before the code authority when he hears appeals on two film overbuy complaints filed last fall against F-WC theatre.

Cases came up, after denial by the local grievance board, are those of Mrs. Jennie H. Dodge of the Mission, Ventura, and Lou Bard, of the Colorado, Pasadena.

## FILMS WILL GET IT ON GEN'L CHECKUP

## Sweeping Probe Planned Before Any Extension of NRA—Senator King Leads Move on Picture Code

### ATTEMPT TO BLOCK

Washington, Feb. 19.

Congress will take the film code and code authority from top to bottom before any extension of the Industrial Recovery Act is authorized.

Crucial of NRA policies and actions moved swiftly last week to obtain a sweeping investigation into actions of division and deputy administrators, industry leaders, trade associations, code authorities, and others concerned in formulation and administration of competition-limiting compacts. Definite action within another month is indicated.

Direct plans to inquire into complaints against the film code were made by Senator King (Utah), chairman of a special judiciary subcommittee which will probe complaints that NRA has encouraged and fostered monopolies. Public hearings will be initiated in a fortnight.

Making the second direct assault on NRA this session, Senators Nye (North Dakota) and McCarran (Nevada) last week joined forces and set in motion a joint Progressive-Republican and Liberal-Democratic inquiry.

Twenty-one specific charges and accusations were catalogued in a lengthy resolution authorizing a comprehensive investigation before new legislation is enacted. Nye-McCarran proposition would supply \$25,000 for inquiries.

### Try to Counteract

With administration chiefs moving to counteract the inquiry, the Senate sent the resolution to the Senate Finance Committee, dominated by Roosevelt supporters, instead of to the less-sympathetic Commerce Committee of which Nye is member. Attempt will undoubtedly be made to sidetrack the proposal in the Finance group.

These actions make it virtually certain that all past NRA actions will go under a Congressional microscope before the Blue Eagle gets his new two-year lease on life. Nye and McCarran, with the backing of several colleagues, prepared for a last-ditch stand to bring the charges into the open.

That the film code is certain to get Senate scrutiny is generally accepted within industry circles here. Nye has attacked the past repeatedly.

(Continued on page 59)

## Fireworks at 7 Hour Session Of C. A.; N. Y. End Hurls Charges

## With Nizer Book Main Burnup

## Expect OK on Film Budget Assessment Plan

Washington, Feb. 19.

Approval of film budget and assessment plan is anticipated sometime this week. Draft of order for submission to NRA board was in the legal mill today (Tuesday) and Deputy Administrator W. P. Farnsworth was hopeful of action within the next few days.

Vaude amendments likewise were reported all set, waiting for legal advisors to put finishing touches on administrative order and send the batch along to the front office for final action.

## Rosy Okay on 3,000 Culled Mobsters Will Hand K.O. to 14,000

Hollywood, Feb. 19.

Between 3,000 and 4,000 jobs in Hollywood now rest in the hands of Administrator Sol A. Rosenblatt.

Last week the Extras Standing Committee, headed by Mrs. Mabel Kinney, completed its work of shearing the Central Casting Bureau line of extra talent and forwarded the names of those qualified under NRA to work in pictures to the Code Authority for reference to Rosy.

This means that around 14,000 men and women will have to look elsewhere for their livelihood should Rosy sanction the Extra Committee's job of paring for Central Casting has had 17,000 aspirants on its roster.

## GOV'T IS PONDERING LEGALITY CODE WAGE

Hollywood, Feb. 19.

Decision as to the legality of the wage provisions of the film code is expected shortly. Last week Major Joseph O. Donovan, local CA representative, turned over the complaints against S. S. Krellberg to the Los Angeles compliance committee and U. S. District Attorney Tamm for action.

Krellberg, during the production of a serial, 'Lost City,' is alleged to have failed to meet the code wage scale. Each violation, if proved, calls for a fine of \$500.

## Industrial Film's Cut-Rate Admish Disturbs Exhibs; Hands Off by C. A.

Both the Hays office and the Film Code Authority are maintaining a hands-off attitude on the industrial film, 'Forward, America,' which ostensibly was produced as an enterprising feature of a crusading type. It's a rather obvious slap at all chain operations. Picture has been causing comment and disturbance among exhibitors in recent weeks, particularly those in the midwest.

Produced by the film, distributed through states rights, Film Code Authority maintains it can see no code violation, but exhibitors are rather obvious about the exhibitor's "low" the published admission price of the methods that would tend to lower them. Information submitted to distributor or-

ganizations on this picture indicates that this portion of the code is violated.

What is virtually a throwaway ticket is reported as being the basis for the picture's selling campaign. The feature is offered in lieu of little or no rental, the film's attack on chain operations being emphasized by the distrib. Blocks of tickets are planted with independent merchants in the city at so much a ticket, the fee is variously reported at \$100 per coupon. These are given away by the merchants to customers when purchases are made.

Exhibitors contend that this is lowering the published admittance price.

Ad matter calls for a prize contest, \$25 in cash for the best essay on why I liked the picture.

Smouldering for the past year, fire finally burst into conflagration within the New York Film Code Authority last week with members threatening to furnish ammunition for a Congressional investigation of that body's activities.

Charges made during last week's session of the CA included:

That cases in the field which have been on the CA books for months have been ignored, while those presented by favored sons have been pushed through.

That details of the Code Authority's work have been given the daily press before actual CA members were acquainted with the data.

That preference was shown in giving out such information, the dailies being favored over the trade press.

That the present revolving chairmanship plan results in having virtually no chairman.

That details regarding CA sessions and action on different cases is unduly delayed in transmission to members of the authority.

That John C. Flinn, secretary of the authority, mishandled his job as spokesman of the CA in press.

That definite steps should be taken looking towards a probe of CA affairs without awaiting a Congressional investigation.

### Louis Nizer's Book

Advance notice on Louis Nizer's new book, which praises the code, as published in a daily paper, attracted bitter comment. Some CA representatives described it sarcastically as an eulogy, but were baffled as to how Nizer had so many facts about the authority's activities. It was implied that many details revealed in the book were given to members of the authority.

Relative to the way the daily press gained preference over the trade publications, it was revealed that Flinn had been delegated originally by the CA to serve as spokesman, giving the press info on decisions, cases and meetings. Main grievance at last Thursday's (14) meeting was that the secretary had not been handling the job to the satisfaction of some members. At least one CA delegate came out flat-footed and said he was going to get all details of Code Authority sessions within a hour of such confabs or he intended getting a (Continued on page 63)

## NO HOUSTON VERDICT

C. A. in N. Y. Fails to Act On Adelman-Horwitz Case

Action of Adelman, Texas exhibitor who operates the Delman theatre in Houston, which came up before the Film Code Authority in New York on appeal several weeks ago, was not acted on by the C. A. at its meeting last week, although brought up for discussion. It is commonly known as the Horwitz case because Adelman had brought an action against Will Horwitz-Texas Theatre Co., Preston Amusement Co., Holtzelle-Horwitz Theatre Co. and Inter-Amusement Co. Inc.

Discussion has revealed that Adelman had formerly been plastered with 210 days clearance on his suburban house because it was about two miles from the main theatrical area of Houston. His protests finally resulted in cutting down this clearance to 75 days. The present action is apparently over whether this 75-day edict is to stand.

Because of the number of operations involved, it is expected that the decision of the Code Authority in this case will go far towards clarifying the clearance situation in Houston.

# No Fancy Figures, Holdovers Rule L. A.: Schools Help 'David's' \$16,800, 2 Houses; 'Wings' \$15,600; 'Fairy' Big

Los Angeles, Feb. 19. (Best Exploitation: Chinese-State) With couple of holdovers in the first run importations and 'Wings in the Dark' at Paramount, grosses for the stanza are not geared for big take this week.

Paramount doing nice trade but nothing sensational with State and Chinese. With second stanza but managing average trade through school houses. Last week's picture, 'Naughty Marietta,' which helped.

Hollywood and RKO, with 'Devil Dogs,' held over for an additional six days, went 'way off on the extended period.'

'The Good Fairy' is a corker for the Pantages, starting off with a \$2.50 premiere and business more than treble the regular average for balance of the week. 'Foxy Doo' at the Four Star, not so fortunate while 'The Blue Light,' another importation at the Elgin, also a disappointment.

Chinese and State went after the student trade for getting the Board of Education to break its rule to boost theatre attractions. Permitted the students of the schools to send a letter to all school principals in the L. A. area, personally endorsing the picture.

Estimates for This Week  
Chinese (Grauman) (2,028; 30-40-55)—'Copperfield' (MG) (2nd week). With school kids flocking at mats and preview to box trade held up in style—with take being equal in holdover stanza to regular initial income of average \$17,500 mark. Last week pic drew big \$13,700.

Criterion (Partmar) (1,600; 30-40-55)—'Gilded Lily' (Par). House doing okay on this one, \$27,000. Last week 'Bengal Lancer' (Par), big week at \$3,500.

Downtown (WB) (1,800; 25-30-40)—'Woman in Red' (WB) and 'Lightning Strikes Twice' (Radio) split. Preview toward \$4,100 goal. Last week 'Right to Live' (WB) and 'Behind the Evidence' (Col) greeted not excitement with \$3,500.

Filmarte (Reisenfeld) (900; 40-50)—'Blue Light' (Bog-Duo World). A. A. 1,600. Last week second of 'Man of Aran' (G-B) fine on \$2,200. Four Star (Fox) (300; 30-40-55)—'Devil Dogs' (WB) (2nd week). Off on holdover of six days doing \$3,800. Last week nearly big at \$12,600.

Pantages (Pan) (2,700; 25-40-55)—'Good Fairy' (L). Last week \$15,600. 'Edwin Drood' (U) through with nice \$5,000.

Paramount (Partmar) (3,595; 30-40-55)—'Wings in the Dark' (Par) and stage show. Fair enough to get \$15,600. Last week \$15,600. 'Gilded Lily' (Par) showed a bit for \$12,800.

RKO (2,950; 25-35-55)—'Devil Dogs' (WB) (2nd week). Went for this one downtown much better than in Hollywood. Current six-day take to \$12,600. Last week nearly big at \$12,600.

State (Loew-Fox) (2,024; 30-40-55)—'Copperfield' (MG) (2nd week). Doing very well on holdover with around \$9,000 in sight. Last week great going to \$14,000.

Empire (Artie) (1,100; 25-30-40-55)—'Winning Ticket' (MG) and 'Lottory Lover' (Fox). And at stage show. The picture does not seem to be what they want, though plenty for admission fee. Will take bad licking.

'Night in the White Cliffs' (MG) and 'Under Pressure' (Fox) just about eked out cost of stage show with little over \$9,000.

## BIRMINGHAM FAIR

'County Chairman' at \$7,700 Pretty Good

Birmingham, Feb. 19.

(Best Exploitation: Pantages) Rainy weather has dampened the spirit of the picture. The picture was packed. Dionne babies shot is helping too.

Pantages gets the cake this week for exploitation. Whole layout in a nutshell is the merchandizing of vaudeville with the picture second.

Estimates for This Week  
Alabama (Wilby) (2,800; 30-35-40)—'County Chairman' (Fox). Looks like a natural for about \$7,

700, good considering weather. Last week 'Gilded Lily' (Par) \$4,600, just fair.

Ritz (Wilby) (1,600; 25-30)—'Romance in Manhattan' (Radio). Will get around \$2,500, which is just fair. Last week 'Mighty Barnum' (UA) \$3,900, good.

Pantages (Wilby) (1,850; 30-35)—'Woman in Dark' (Radio) and vaude. Estimate seems to be picking up here every week; \$2,500. Last week 'Notorious Gentlemen' (U) and vaude, \$2,200.

Empire (Artie) (1,100; 25)—'Carnival' (Col), \$2,400, moderate. Last week 'Babitt' (FN), \$2,500.

Strand (Wilby) (900; 25)—'Foxy's Bad Boy' (Fox) and 'Lottory Lover' (Fox), split week. Not gonna set this one. Last week 'St. Louis Kid' (WB), \$1,900, oke.

## 'Sequoia' Disappoints

In P'lant on Average  
\$5,000; 'Bill' \$9,000

Portland, Ore., Feb. 19. (Best Exploitation: United Artists) 'Sequoia' short of expectations though makers opening barrage of exploitation by the United Artists.

Paramount moved its 'March of the Band' to the Liberty after one week at the Par. News short clipped but Par's program, with vaude, running too. 'Foxy Doo' Broadway picked up some extra biz for four days with newswall of Hauptmann trial.

Pictures currently in the pay dirt class are 'Broadway Bill' and 'Copperfield' in a fine third week. United Artists had serial yarn of 'Sequoia' in daily sheet, also used radio and has special tieup with Boy Scouts and high schools.

Estimates for This Week  
Broadway (Farker) (2,000; 25-40)—'Copperfield' (MG) (3rd week). Sticking in good shape. Last week this film moved into this house for a second week of okay \$5,800 after first nine days at the UA for \$7,000.

Strand (Wilby) (900; 25-30-40)—'Sequoia' (MG). Disappointing in view of exploitation campaign. Last week 'Clive of India' (UA) on 12 days totaled good \$7,800.

Paramount (Evergreen) (3,000; 25-30-40)—'Broadway Bill' (Col) and vaude. Strong \$9,000. Last week 'Gilded Lily' (Par), nice at \$7,200.

West (Pecos) (Radio) and vaude. Fair at \$4,500. Last week 'Mighty Barnum' (UA), good \$4,600.

Empire (Artie) (1,100; 25-35)—'Enter Madame' (Par) and 'Evergreen' (Fox). Down to \$3,000. Last week 'Foxy Doo' (WB) and 'Heldorado' (Fox) \$1,600.

Cincinnati, Feb. 19. 'One More Spring' is the bright bloom in the crop of new screenings, scenting the Palace box office for \$12,000. 'The Heart of the Albee' and 'Devil Dogs' in restoring Keith's to the heavy bucks division for the first time in months with 9 Gs.

'David Copperfield' in its third downtown week, last week, chalked up a new high for the year at \$3,200. This week it is making another local record by rounding out \$3,200 for the first time in months with something unequalled since dear old '28.

'Good Fairy' and 'Devil Dogs' have advanced with extra display space in the dailies. Only downtown effort to exploit a current flicker is a tie-up with the Picture Palace on 'Devil Dogs.' It called for use of stills on the pic in several places, up to a new high for the year at \$12,000. Last week \$12,000. Last week \$12,000.

Estimates for This Week  
Palace (RKO) (2,600; 35-42)—'One More Spring' (Fox). Baxter-Caynon reunion the magnet for \$12,000. Last week \$12,000.

Loew (RKO) (2,800; 35-42)—'Good Fairy' (L). Audience smash and hurrahed by cricks as a rare high-class comedy. Started last week with \$12,000. Last week \$12,000. Last week \$12,000.

Strand (Ind) (1,200; 15-20-30)—'Devil Dogs' (WB). A downtown return after a fall to three months. Last week-end pace indicates \$3,000, best trade for this house in quite a spell.

'Mysterious Mr. X' (Mon), \$2,200, with a length gain in last half.

## 'SPRING' \$15,000, BUFF.

Town in Fair Shape—'Dogs' and 'Good Fairy' Both \$7,000.

Buffalo, Feb. 19. Business seems fairly evenly distributed this week. The Buffalo, Hipp and Lafayette are in the lead, former headed for a slightly better than average gross. 'Good Fairy' at the Lafayette, though running along smoothly, is failing to hold up to bumper anticipations.

Estimates for This Week  
Buffalo (Shea) (3,600; 30-40-55)—'One More Spring' (Fox) and stage show. Going along nicely and pointing to something over \$15,000.

Great Lakes (Shea) (3,400; 25-40)—'Night Is Young' (Radio) and 'Society Doctor' (MG). Another double and looks to get \$7,000. Last week 'Copperfield' (MG) (2nd week) a nice \$5,500, making fine \$22,000 for two weeks.

Century (Shea) (4,400; 25)—'Champion' (RKO). Double feature house seems to be hitting nice stride again. Currently, about \$7,000.

Lafayette (Ind) (3,400; 25)—'Good Fairy' (L) and 'Devil Dogs' (WB). 'Under Pressure' (Fox) and 'Home on Range' (Par) lively for \$6,400.

Lafayette (Ind) (3,400; 25)—'Good Fairy' (L) and 'Devil Dogs' (WB). 'Under Pressure' (Fox) and 'Home on Range' (Par) lively for \$6,400.

Estimates for This Week  
Indianapolis, Feb. 19. (Best Exploitation: Lyric) In a week loaded with competition, Lyric is topping town with a great \$11,500 on its combination of 'Devil Dogs' and six-act stage bill headlining Eddie Peabody on stage.

Lyric is doing very well on the extra business. 'One More Spring' is doing very well at the Apollo, while the Indiana is also up in the money. 'Sequoia' is having a tough time against the attention and is lacking at the Palace.

Very little outside exploitation, but Lyric is doing very well on the extra business. 'One More Spring' is doing very well at the Apollo, while the Indiana is also up in the money. 'Sequoia' is having a tough time against the attention and is lacking at the Palace.

Estimates for This Week  
Apollo (Fourth) (1,400; 25-40)—'One More Spring' (Fox). Gaynor-Dexter combo always means good business at this house; regular \$11,500, which is \$9,000 which may mean holdover. Last week 'Champion' (RKO), \$3,500.

Circle (Katz-Feld) (2,400; 25-40)—'Best Man, Wife and Child' (L). Latter film a glued; played at Indiana originally; duo getting new high at \$2,400. Last week 'Edwin Drood' (U), weak at \$3,000.

Indiana (Katz-Feld) (3,100; 25-40)—'Good Fairy' (L). This picture virtually obscured in ads with Sullivan and Marshall getting the play. Business okay at \$7,500. Last week 'Rumba' (WB) (2nd week) \$2,000.

Lyric (Olson) (2,000; 25-30-40)—'Devil Dogs' (WB) and vaude. Opening big and strong. Last week \$11,500. Last week \$11,500. Last week \$11,500.

Loew's Palace (Loew's) (2,800; 25-40)—'Sequoia' (MG). Sawed the legs off on average at weak \$3,000. Too much opposition; Last week 'Clive of India' (UA) fair at \$2,500.

Devil Dogs of the Air' (WB). Like-Late-Late (RKO) and chills at b. o. Casney and O'Brien returns, air-thrill fans started holdout biz for \$12,000. Last week \$12,000.

Stratophore mark at this house in late months. Second week a ceremonial week, when in (WB), climbed steadily to \$5,500, hotch.

RKO (1,400; 35-42)—'Christie Chan in Paris' (Fox). Maybe \$5,000, good. Same figure last week on Band Plays On (MG).

Capitol (RKO) (2,000; 35-42)—'Society Doctor' (MG). Anemic from wave of names. Condiash poor from reception, but will linger through week. Might get \$3,000, lowest temperature here in moons. Last week 'Enchanted April' (Radio), \$4,500, not bad.

Grand (RKO) (1,200; 25-40)—'David Copperfield' (MG), (4th, final week) \$3,500, great. Last week \$15,500 in first week at Albee and \$10,000 on eight-day transit to Lyric.

Family (RKO) (15-25)—'Mystery House' (RKO). Amitts \$18,000 on the Heart' (U), split, \$2,100, nice. Last week 'Red Hot Tires' (WB), \$2,000.

'Mysterious Mr. X' (Mon), \$2,200, with a length gain in last half.

## 'Enchanted April' Weak \$3,000 in Philly; 'Good Fairy,' Roxy-Mastbaum, \$28,000

—Gilded Lily' (Par). Pix got pleasant notice with good results, \$15,000. Last week 'Wings in the Dark' (Par) proved tricky at \$15,000.

Shadock (Metro) (2,000; 25-30-40)—'Devil Dogs' (WB) and vaude. Looks like \$14,000, under-average. Last week 'County Chairman' (Fox), \$14,000, mild.

Strand (2,000; 25-30-40)—'Baboons' and 'Maybe It's Love' (WB), lively \$18,000. Last week 'Secret Bride' (WB) and 'Home on the Range' (IND), \$8,500, okay.

Estimates for This Week  
Aldine (1,200; 25-35-55)—'Scarlet Pimpernel' (UA). Ought to get a smart start, but might slip on top of last week's average \$12,500.

Arcadia (600; 25-30-40)—'Gilded Lily' (Par). Management, expecting a strong start, but might slip on top of last week's average \$12,500.

Weekish \$1,500 in five days. 'Maybe It's Love' (WB) and 'Bright Light' (WB). Only a fair \$4,000 seen despite good notices. Last week, 'David Copperfield' (MG), \$1,500, good and still strong at \$11,000.

Earle (2,000; 25-35-40)—'Winning Ticket' (MG) and vaude. Doing okay on bill. Last week \$14,500. Last week 'Carnival' (Col) and vaude. Just topped \$15,000 mark.

Fox (3,000; 40-55-55)—'One More Spring' (Fox) and stage show. Helen Compton's Bryn Mawr Theatre featured. Excellent \$2,500 for combo which will get seven days. Second week unlikely. Last week, 'My Heart Is Calling' (MG), \$1,000, good and still strong at \$11,000.

Keith's (2,000; 30-40-50)—'David Copperfield' (MG). Moved here for second week. Last week \$14,500. Last week 'Clive of India' (UA), Good \$3,400.

Roxy-Mastbaum (4,800; 55-75)—'Good Fairy' (L) and 'Maybe It's Love' (WB). \$43,800 for 'Woman in Red' (WB), plus Jack Benny, \$1,000. Last week, 'Little Men' (MG), \$1,000.

Stanley (3,700; 35-40-55)—'Devil Dogs of the Air' (WB). Good notice. Last week \$14,500. Last week, 'Rumba' (Par), Poor \$5,500.

Stanton (1,700; 35-40-55)—'Millie of the Gods' (Col). Another weak sister, \$5,000 will be tops. Last week, 'Society Doctor' (MG), \$4,000, poor.

'Kid Millions' (UA) and T Sell 'Enchanted April' (R). Should click with \$4,500. Last week 'Forsaking All Others' (MG) and 'It's a Gift' (Par) less than hoped for at \$4,100.

Little (Franklin) (250; 30-40)—'Stubby Unslake' (Polish). Another all Polish bill and \$1,500. Expected \$1,500. Last week \$1,500. Last week \$1,500.

Loew's State (2,780; 15-75)—'Society Doctor' (MG) and vaude. Opening bad but picking up. Last week \$1,500. Last week \$1,500. Last week \$1,500.

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Philadelphia, Feb. 19. (Best Exploitation: Stanley) With the exception of the Fox and Stanley, all the larger downtown film houses are figured to take sharp drops in income this week, which promises to be the leanest in couple of months.

Fox has 'One More Spring,' and it looks rather good—not as strong as some former Gaynor films, but above average. It will get seven days (having opened Thursday), but is unlikely for a second week; \$22,000 indicated for the seven days.

Smartart exploitation trick this week is credited to WB in behalf of their 'Devil Dogs of the Air' at the Stanley. Max General, Smedley D. Butler, Capt. G. B. Landenberger, Capt. P. W. Fouts, Major P. D. Cornell and Sgt. Charles Jensen, of the Marines, attended the opening and afterward broadcast their reactions over Station WIP. Butler, because of his military rank, was named Safety Director and his campaigns against booze in Philly, is still a notable figure here.

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**State.** (2,300; 35-55-75)—Bengal Lancer (Par) and vaude. Even after five weeks on Broadway, with its engagement here virtually third run, going great guns, with Ted Lewis on stage a help. Looks to hit easily \$25,000. Last week 'Forsaking All Others.' (MG) just topped \$25,000.





FROM ONE OF AMERICA'S  
HARDEST-BOILED SHOWMEN!

BY DIRECT WIRE FROM

**WESTERN  
UNION**

NEWSPAPER CARRIAGE  
DIVISION OF THE UNION

FEB 7 1935

**CLAIM OF SERVICE**

This is a full-rate Telegram or Cablegram unless the deferred character is indicated by a suitable sign above or preceding the address.

R. B. WHITE  
PRESIDENT

NAA2 82 NL=LOSANGELES CALIF FEB 7 1935  
MAJOR L E THOMPSON=

RKO BLDG NEWYORK NY=

DEAR MAJOR AT THE INVITATION OF MESSRS AYLESWORTH KAHANE  
DEPINET AND MCDONOUGH CHARLIE AND MYSELF IN COMPANY WITH OUR  
DIVISION MANAGERS SAW ROBERTA AT THE RKO STUDIO TODAY STOP  
EVERYONE WITHOUT A SINGLE EXCEPTION WAS GREATLY ENTHUSED AND  
UNANIMOUSLY AGREED THAT THE ATTRACTION IS SUPERB FROM A  
STANDPOINT OF DIRECTION AND PRODUCTION STOP ROGERS ASTAIRE  
AND IRENE DUNNE GIVE OUTSTANDING PERFORMANCES AND YOU CAN  
TAKE OUR WORD FOR IT THAT THE PICTURE WILL DO A SENSATIONAL  
BUSINESS AT THE BOX OFFICE REGARDS=

SPYROS P SKOURAS

THE QUICKEST, SUREST AND SAFEST WAY TO SEND MONEY IS BY TELEGRAPH OR CABLE

FROM AMERICA'S  
GREATEST HIT  
COMPOSER! . . .

BY DIRECT WIRE FROM

**WESTERN  
UNION**

NEWSPAPER CARRIAGE  
DIVISION OF THE UNION

FEB 8 1935

ISMQ 48 NL LOSANGELES CALIF=

RO BERMAN=

RKO STUDIO HOLLYWOOD CALIF=

THANKS FOR WONDERFUL EVENING IT CERTAINLY WAS UNIQUE  
EXPERIENCE TO FIND MOTION PICTURE VERSION OF ONE OF OUR PLAYS  
SOMETHING TO BE PROUD OF INSTEAD OF OTHERWISE STOP EVERY  
DEPARTMENT OF THE STUDIO CONCERNED IN ROBERTA IS TO BE  
CONGRATULATED SORRY I HAD SO LITTLE TO DO WITH IT=


JEROME KERN

415A FEB 9 1935

THE QUICKEST, SUREST AND SAFEST WAY TO SEND MONEY IS BY TELEGRAPH







**"'ROBERTA' A SURE-  
OUT, A HONEY AND A  
SMASH MUSICAL...  
MELODIES, STYLE FLASH**

**"RINGS THE GONG  
WITH HIGH POINT BOX-  
OFFICE... IT'S RKO-  
RADIO'S WOW!"**

— Motion Picture Daily

**JEROME  
KERN'S  
QUEEN OF  
MUSICAL  
ROMANCES**

From the play  
"Roberta"...  
Book and lyrics  
by Otto Harbach...  
Directed by  
William A. Seiter  
Pandro S. Berman  
Production  
**RKO-RADIO  
PICTURE**

**FIRE SMASH...A KNOCK-  
WOW!"**

—Hollywood Reporter

**STRONG CAST, STORY,  
...THE WOW YOU WANT!"**

—Film Daily

# Operta

*starring the golden girl with the silver song*

**IRENE DUNNE**

*and America's Dancing Stars*

**FRED ASTAIRE**

**GINGER ROGERS**

**RANDOLPH SCOTT...HELEN WESTLEY**

**VICTOR VARCONI...CLAIRE DODD**









# BUSINESS IS GOING

**Double "Here Comes the Navy" Business in First 4 Days at**

Keith's	• • •	Syracuse
Hillstreet	• • •	Los Angeles
Stanley	• • •	Pittsburgh
Hippodrome	• • •	Cleveland

**Topping or Matching "Navy" Figures at**

Orpheum	• • •	Denver
Warfield	• • •	San Francisco
Shubert-Rialto	• • •	St. Louis
Music Hall	• • •	Seattle
Warner	• • •	Memphis
Warner	• • •	Milwaukee
Stanley	• • •	Baltimore
Warner	• • •	Oklahoma City

**Beating Both "Flirtation Walk" and "Navy" at**

Roosevelt	• • •	Chicago
Hollywood	• • •	Los Angeles
Strand	• • •	New York
Orpheum	• • •	Portland
Earle	• • •	Washington

**Everywhere--America's Biggest Attraction**

# "DEVIL DOGS"

**Starring JAMES CAGNEY • PAT O**

From the same Company that's bringing you Rudy Vallee in "Sweet Music"—

Kay Francis in "Living on Velvet" with Warren William and George Brent—

# TO THE DEVIL DOGS!

## Watch It

this week at

Metropolitan	Boston
Michigan	Detroit
Paramount	Atlanta
Omaha	Omaha
Hippodrome	Buffalo
Orpheum	New Orleans
Newman	Kansas City

## Hold It!

Everybody's doing it!

Roosevelt	Chicago
Stanley	Pittsburgh
Strand	New York
Metropolitan	Washington
Hippodrome	Cleveland
Keith's	Cincinnati
Victory	Dayton
St. Francis	San Francisco
Blue Mouse	Seattle
Hillstreet	Los Angeles
Warner	Milwaukee
Shubert-Rialto	St. Louis

A Cosmopolitan  
Production

Since The World's Fair . . . Warner Bros.'

# OF THE AIR"

**BRIEN** Directed by **Lloyd Bacon**

"Gold Diggers of 1935"—Jolson and Keeler in "Go Into Your Dance"—

Paul Muni in "Black Fury"—Dolores Del Rio in "In Caliente"



## Bank Winner Didn't Collect, Sues Theatre

Minneapolis, Feb. 19. Paradise theatre, independent deluxe nabe house here, is named defendant in a suit filed in District Court by J. P. LaQua, who seeks to recover \$125 which he declares he won at a "bank night" and has been unable to collect.

LaQua asserts he didn't hear his name called as the winner, but was told by an acquaintance that such had been the case, went to the manager to enter the performance and demanded the money. He alleges he was told "nothing doing."

Theatre admits that it refused to pay LaQua the \$125, justifying its action by denying that he was present in the theatre at the time of drawing as required by the contest's rules.

S. P. Halpern, counsel for the Paradise, also contends that even if LaQua were present and complied with the contest's rules the theatre would not be under any legal obligation to keep its promise and pay him the \$125. Because there was no consideration involved, LaQua not being compelled to purchase a ticket to be eligible for winning, Halpern asserts, the theatre would be within its rights to renege on its offer if it so saw fit.

## NEW WORK SKED FOR STUDIO KEY JUICERS

Hollywood, Feb. 19. Key electrical men on sets will get a limitation of hours and overtime provisions as a result of the recent labor conflicts in New York on the basic studio agreement.

These key men, in charge of the lighting crews, had heretofore been on a week-to-week basis and had complained that they often were worked unreasonable hours without added remuneration. Under the new setup their hours will be limited to 60 a week, with time and a half for overtime.

## 15 N. W. Closings

Minneapolis, Feb. 19. Some 15 northwest theatres are reported going dark as compared with only four reopening and one new house, according to the current Code Authority bulletin.

Top number of closings this winter.

## CALLING OFF DOG

Too Tough to Saddle Romance on Hound—Par Nixes Poocher

Hollywood, Feb. 19. Paramount has shelved the idea of making a dog story of "If You Hunt With Old Don." Has decided to substitute a kid for the hound. Grover Jones has been assigned to the story.

Original idea was to have the dog as the lead. Irvin S. Cobb was brought in to write the screen play and a camera crew shipped to Louisiana to photograph the National Field Dog Trials. Studio decided love and human interest couldn't be saddled on a hound.

## S. C. Blue Bill

Spartanburg, S. C., Feb. 19. Rigid censorship of all films shown in South Carolina, already just about the tightest "blue laws" state in the union, is sought by Rep. Ouzls in general assembly. He wants a board of three named to censor and pass on flickers, with Gov. Olin D. Johnston of Spartanburg to do the appointing.

The bill was named to the judiciary committee for a report.

## Vidor's Korda Film

Hollywood, Feb. 19. King Vidor will direct a picture for Alexander Korda's London Films this fall.

Visits England this summer to look over Albion's film setup before starting his contract Sept. 1.

## Book Stalled

Hollywood, Feb. 19. While Radio literary scouts are prowling book stalls to find a yarn for Fred Astaire's next picture, the company seems unaware of Vivian Ellis' novel, "Zelma," based on the stage adventures of the terp expert.

## PARENT-TEACHERS FILE FOR GOVT. CONTROL

Washington, Feb. 19. Parent-teacher drive for government control of films and creation of federal institute for visual education was revealed last week with submission of bale of petitions to members of Congress.

With New York P-T-A's leading the parade, organization started flooding Capitol with pleas for enactment of legislation which would establish government supervision of film production and set up new division of the Office of Education to encourage pictures providing "suitable entertainment" to meet the needs of patrons in "rural and urban" localities.

Did not specifically boost any pending film-control legislation.

## Allied Exhibs Elect

Washington, Feb. 19. Annual directors meeting of Allied States Association here last week picked following officers for 1935:

President, Sidney Samuelson, New York; chairman of the board, legal advisor, Abram F. Myers, Washington; secretary-treasurer, H. A. Blum, Chicago; recording secretary, H. M. Richey, Detroit.

## NATIONAL'S VAUDEFILM

N. Y. Yiddish House Goes Combo Under E. M. Gluckman

National theatre, Second avenue and Hudson street, New York, one of the city's oldest theatres and for years a Yiddish legit house, goes vaudefilm shortly. Under the combo policy name of theatre will be changed to the Roosevelt.

New operator is the Aagan Corp., with E. M. Gluckman active head. Company, under direction of the former RKO exec, intends entering into deals for other New York nabe spots.

Downtowner's policy will be vaudefilm Friday to Sunday, with stage shows at the rate of \$2,000, and straight films the rest of the week.

## Femme Senator Has Her Say in Newsreels

Baltimore, Feb. 19. Maryland's lone femme State Senator has introduced a bill which, if passed, will make the shooting by cameramen of pictures of courtroom sessions illegal.

In commenting upon her proposal the Senator, Miss Mary Risteau, admitted her bill was prompted by the newsreels' snuff on the Hauptmann trial.

## Extend Binnie's Stay

Hollywood, Feb. 19. Without an immediate assignment for her, Universal has given Binnie Barnes a month's extension on her current English stage engagement.

Miss Barnes had been slated to leave London in time to report at the studio Feb. 15.

## Leftwich at Fox

Hollywood, Feb. 19. Alexander Leftwich, on the Coast last year, went on the Fox pay this week.

He has an executive spot in the production department.

## U'S BEAUTY SHOP

Hollywood, Feb. 19. Universal has bought "Strangers at the Feast," novel dealing with drama in a beauty parlor, by Beatrice Labinz. Production will be by E. M. Asher.

Myron C. Fagan, New York producer and writer, brought out to do the screen treatment.

## GOVT. WILL PRESERVE FILMS OF IMPORTANCE

Washington, Feb. 19. An unprecedented national collection of motion pictures of educational and historic importance will be part of the new National Archives of the United States.

Planning to acquire films from both government and industrial sources, Archivist Robert D. W. Connor last week named Capt. John G. Bradley to post of chief of the division of motion pictures and sound recordings.

Sumptuous new building now nearing completion contains eight special fireproof vaults for film storage, and a model projection room where films will be exhibited for public officials and students of history and government. Expect government collection to be available for use of schools, colleges, and educational institutions and will in time become valuable reference library for industrial groups.

## 'BENGAL' RELEASE DEAL BASIS OF COAST SUIT

Los Angeles, Feb. 19. Harry Schenck is seeking an injunction to prevent distribution of "Beyond Bengal" through Principal Pictures in Superior Court complaint that the Malay native life feature has been unlawfully authorized by marketing.

Louis A. Solomon and Arthur S. Friend are named as chief defendants in the suit, which also demands rescission of contract and an accounting in the deal. Schenck got the film back into full control of Schenck and his partner in the property, Phra Abhivongse (correct), a Siamese.

Complete suit that Arthur Friend, as attorney in fact for the plaintiff, had no authority to enter into the contract with Solomon by which Principal Pictures took over distribution.

Schenck values the film at \$500,000.

## MISS. TAX UPS

Outdoors Boom But Theatres Show 58% Increase Over '33

Jackson, Feb. 19. Increase in Mississippi show business is seen in figures just released. State Tax Commission statistics show big increase in circus and earned receipts—about three times as much as last year. Outdoor shows turned in \$31,478 during 1934, according to S. L. Burwell, chief amusement tax assessor of the state tax commission. This represented 11% of the entire amount spent on amusements.

Theatres showed a gain of 58% over last year, with tax returns amounting to 81% of the total. Picture houses last year accounted for \$231,178, as compared with \$123,022 for the same year. Daytime skating rinks cashed in \$3,700 and \$151, respectively.

The total receipts for all amusements for 1934 were \$283,083, as compared with \$155,009 for 1933 and \$94,098 for 1932.

Mississippi collects 10% of gross receipts of all amusements, including athletic events. The Mississippi chapter of MPTOA has been bitterly opposed to the tax, claiming prejudice against the business. There is a general retail sales tax on all businesses of 2% and exhibitors feel they are merely merchants dispensing merchandise and should pay only 2%.

At 10%, tax cannot be absorbed and must be passed on to customers.

## Traveltalk Crew to

## Lense Oriental Scenes

Hollywood, Feb. 19. James Fitzpatrick leaves here late in March for the Orient with a Technicolor camera crew. They're on a three month tour of Japan and China for his Traveltalks. Producer en route to New York before hopping back here for the trip across the Pacific.

## Col. Ups Sully

Hollywood, Feb. 19. Bill Sully has been promoted from Columbia exploitation department to assistant on production. Leo Freedman, switched from New York office, replaces Sully.

## Picture Possibilities

"The Simperton of the Unexpected Isles"—Unfavorable. THE SIMPINGTON OF THE UNEXPECTED ISLES" (Comedy. Theatre Guild, Guild). George Bernard Shaw in a fantastic mood is too much for the screen. Story takes in a wide range, but not the right stuff. 10cc.

"The Eldest"—Unfavorable. "THE ELDEST" (Drama. Sam Grisman, Ritz). Story of a woman acquitted of murdering her husband, returning home and continuing an affair with her lover. Too lurid and sordid. 10cc.

"Bitter Oleander"—Doubtful. "BITTER OLEANDER" (Drama. Lyceum, Neighborhood). Only way this could be used on the screen is as a hoss opry. Probably not worth story cost for that kind of use. 10cc.

"Noah"—Unfavorable. "NOAH" (Comedy-drama. Jerome Mayer, Longacre). Stage version of biblical story first presented in Paris and London. Unlikely picture material. 10cc.

## BURR TO MAKE DOZEN MELLERS FOR PURITAN

Hollywood, Feb. 19. C. C. Burr will produce two series of features for Puritan Pictures. Deal was signed last week by Louis A. Solomon, head of Puritan, while Burr makes six action stunt pictures and six melodramas.

Contract provides that the producer starts delivery in April.

## Renew Lazarus, Banton

Hollywood, Feb. 19. Paramount renewed the contracts of three people last week. Jeff Lazarus, head of the editorial board, and Travis Banton, designer, and his assistant, Edith Head, were given pacts for another year.

Banton leaves for Paris next month to look over the new styles.

## Hays Org. Lays Postcard Barrage for 'Copperfield'

Hollywood, Feb. 19. Mrs. Alice Ames Winter, women's club contact for the Hays office here, is sending out 2,000 postcards to club and religious organizations plugging "David Copperfield." It is the first time that the Producers' association has ever taken this means of exploiting any particular picture.

Such a postcard barrage, it is explained, will follow the release of any future picture which can be utilized for plugging film-going as an institution. It's in line with the current poster campaign, by which it is hoped to reach those staying away from films on the theory that nothing on celluloid is ever worthwhile.

## 3-Day Weekend

All major film companies and the Hays office in New York will be closed this Friday (22) Washington's Birthday. It will give most of the boys a three-day weekend. Theatres will put up Saturday and Sunday prices, virtually all houses showing new pictures on that date, change day for the majority, and have hopes the extended weekend will be more than a drop in the bucket.

## Clear Hicks

Hollywood, Feb. 19. Local grievance board today (Tuesday) dismissed complaint against Harry Hicks, exhibitor member of zoning clearance board, charging he sold script books in violation of code.

## TAYLOR LOANED FOR LEAD

Hollywood, Feb. 19. Edward Small is borrowing Robert Taylor from Metro for the lead in "Washington Correspondent," which the producer will make for Reliance, with Sam Wood directing. Upon completion of the picture for Small, Taylor is slated to return to his home lot for the top spot in "Murder in The Fleet."

## TEST NEW TRIPOD

Hollywood, Feb. 19. Wheeled camera tripod constructed for Metro under supervision of John Arnold, head of the camera department, is getting its tryout in current picture, "Order, Please!" New mount, made of aluminum, operates either for stationary setup or as a perambulator.

## Proposed Pennys 10% Amus. Tax Hoped to Realize \$6,000,000

Harrisburg, Feb. 19. Governor Earle has presented the 1935-37 budget to the Pennsylvania legislature, calling for a budget, including a \$49,000,000 deficiency, of \$49,126,724. He proposed new taxes to bring in \$203,000,000, including immediate passage of a 10% amusement tax, estimated to bring in \$6,000,000.

Increasing the gasoline and adding a tobacco tax. Twenty other tax bills will be introduced later.

## NEW BOOTHMEN SKED DEPENDS ON BROWNE

Decision on the boothmen's wage schedule for Greater New York has been held up temporarily in Washington, awaiting the return of Geo. Browne, head of the IATSE, Browne, who is in Chicago, is expected back early this week.

NRA officials in Washington then will work out a form of contract between the theatres and operators. Operators' union made the only objection to the O'Reilly booth shed, which is primarily based on a point system. Two paragraphs in this schedule apparently are causing the present difficulty, but both sides are hopeful of reaching an agreement soon.

## Biederman to Frisco

Los Angeles, Feb. 19. Dave Biederman has gone to San Francisco to open a branch exchange there for Amity Pictures, of which he is local rep.

He will function as a supervisor for both distributing offices.

## INDIES' F-WC CHARGES

Expect Fireworks This Week On Coast at Meeting

Hollywood, Feb. 19. Independent Theatre Owners are expected to take legal steps against Fox-West Coast at a meeting Thursday (21) on charges of monopolistic bookings and theatre operations. Communication to association from the Department of Justice is cloaked in secrecy.

Launching of action is expected to set off fireworks among exhibitors.

## Santell on 'Jim'

Hollywood, Feb. 19. Al Santell will direct "Diamond Jim" for Universal. Edwin Arnold will play the title role in Parker Morell's biographical tale of James Brady, here adapted by Harry Clark and Doris Malloy. Edmund Grainger will produce with starting date March 18. "Diamond Jim" is bracketed with "The Great Ziegfeld" and "Showboat," the trio being budgeted for an aggregate of \$2,250,000.

## MUSIC HALL SET 4 WKS.

R. C. Music Hall, N. Y., schedule is now set a month in advance. Lineup on stands is "One More Spring" (Fox) (21), "Wholly More Talking" (Col), Feb. 28; "Little Colonel" (Fox), March 7, and "Roberta" (Radio), March 14.

## British Film Execs in Concerted Invasion of U. S.; Baker on Way To Boost ATP Via First Division

London, Feb. 19. There's quite a bunch of British film executives towards America currently, with some enroute already and others to follow.

Two sailed Thursday (14). They're R. F. Baker, joint managing director, with Basil Dean, of Associated Talking Pictures, and Michael Balco, studio head of Gaumont-British.

Baker, while in New York, will start activities on a proposed spread-out of his company's product in the U.S. The films will be handled for American distribution by First Division. Under that company's spread-eagling in the U.S., F.D. is going after all available British product for American distribution and managed to ease the A.T.P. pix away from Captain Harold Auten. Baker will work in the U.S. under contract for British distribution of Mascot pictures. Another of his projects is the finding of an American name compe to star in the next Grace Fields picture which is hoped to be part-American.

Balco, whose position was recently changed to managing director of Gainsborough Films, the G-B producing subsid, and joint studio head of G-B with Maurice Oster will not daily in New York, going direct to the Coast. Expected to spend two months in Hollywood on an extensive hunt for talent and stories. Also will talk over with Wallace Beery a proposed film which is practically agreed upon.

Teopitz in March Ludovico Teopitz, head of Teopitz productions, will sail for the U.S. early in March for the New York premiere of 'The Dictator', figured to open at either Radio City or the Roxy, being distributed via Gaumont-British. Immediately after the opening, he goes to Hollywood to promote the picture and to find the ground over. He is not compelled to make pictures in England and says that if he finds producing and casting cheaper, or more feasible, in Hollywood, he will hang his hat up and work there.

Arthur Dent, general manager of British International, is also packing his bags and sticking on U.S. labels. He'll go some time next month, taking with his six pictures intended to start BIP back into active distribution in the U.S. New company has been formed in New York by some New York men under the name of Alliance Films. This company will have the BIP pictures and Dent is coming over to get things started.

## McINTYRE OF U TAKES OVER LIBERTY, SYDNEY

Sydney, Jan. 24. Herb McIntyre, Universal's local boss, has bought the freehold of the Liberty. Sydney. Would not state exact figure paid.

McIntyre has been interested in the Liberty from time theatre was first mooted. Dave Martin, theatre's man for years attached to the U office as McIntyre's manager.

Liberty plays opposition to General Theatres, yet U sells some ples to the chain. Martin was one of the bitterest opponents of G. T. at the time, splitting, since a lot of inside dope to the newsmen.

Policy of Liberty has been mainly with U pix, excepting a short fling with M-G-M and Warners. Currently house is playing 'Columbia', 'One Night of Love' on a three sessions daily grind.

## German Pic Boycott Still On in Sweden

Stockholm, Feb. 8.

German pictures have been boycotted in Sweden for over a year. Boycott was started by the first of a leftist element as a protest against Hitler.

Boycott has not affected business of the best German product in the few big cities but has been very effective throughout the small provincial towns, practically killing off the films.

## G-T SYDNEY STATUS No U. Terms, Few Par Pix; M-G Peace Now Likely

Sydney, Jan. 24. Universal has not yet sold its product to the Sydney market on long-term. Certain number of U pics is going over to the chain, but picked by the bookers.

Par is doing his with G. T., but nothing like that of the old days. Far men say they have a complete coverage outside of the combine for 1935-36.

U-G-M, now running its own chain, will apparently not come to terms with G. T. Believed that bitterness is too deep rooted to ever be straightened out. That's because of the film battle.

## BIP, UNION ON HOUSE-BUYING SPREE

London, Feb. 19.

John Maxwell of British International has bought the Astoria theatre in London and Cliftonville, materially strengthening BIP's theatre chain. Deal involves £700,000.

BIP is also reported taking over the Tapp circuit of four theatres and the Dawson circuit of four houses and the two Clavering supers, the Carlton in Upton Park and the Carlton in Islington.

Houses are all in strategic spots near London and are figured to cut in even heavier into the opposition Gaumont-British chain.

Union-Cinema-Ltd. last week took over nine picture houses and is negotiating to build 20 more. This would make Union the third biggest cinema circuit in England. There is, however, a strong likelihood that Union will amalgamate with Gaumont-British, such a deal being on in the making, which would be G-B's answer to B.I.P. on an expansion policy.

## SWEDISH GOVERNMENT MULLS PIC MONOPOLY

Stockholm, Feb. 8.

Question of State Monopoly in the picture business in Sweden has been ventilated in the Swedish Parliament.

Socialist Party, which has been in power here for several years, is all for monopolies. However, there is very little likelihood that this will materialize in the near future.

In Norway, where there is a sort of monopoly on theatre operation, the lack of competition has proved a drawback for film business. Home-made production also suffers on account of the monopoly, as nobody wants to invest money in pictures except the two community-controlled distributing companies.

## 'MONTE CRISTO' LEADS FILM B.O. IN SYDNEY

Sydney, Jan. 24.

Biz continues high and looks like 'Count of Monte Cristo' (UA) moves into its sixth week and will stick. Other leaders include 'One Night of Love' (Col) and 'Barretts' (MG).

Current releases include 'Beyond Bengal' (B.E.), 'My Song for You' (G-B), 'Girls Will Be Boys' (BIP), 'Lady by Choice' (Col), 'I Sell Any' (WB), 'The Great Dictator' (WB), 'Six-Day Bike Rider' (WB), 'Bitter Sweet' (BD), 'Now and Forever' (Par), 'Kiss and Make Up' (Par), 'The Great Dictator' (UA), 'House of Rothschild' (UA), 'One More River' (U), 'World Moves On' (Fox), 'Cheopatra' (Par) and 'Chained' (MG).

## Dean's Anzac Pic

Sydney, Jan. 24. Basil Dean, English producer, is due here shortly to produce one film dealing with the life story of this continent.

Dean will be given use of Cine-sound studio by arrangement with Stuart F. Doyle. Eric Bauma, editor of the Sydney Sunday Sun, will do the scenario.

## Mexico Partially Settles Tax Diff; U. S. Boycott Off

Mexico City, Feb. 19.

American distributors, who were all to close their offices on Tuesday (19) and stop doing business in Mexico as a protest to what they call inequitable taxation, changed their minds at the last minute, at least to close their offices.

Square is in a state of straightened out, however. Americans were squawking about the taxes last year and received a promise from the government to get them lowered.

Governments, however, went out with the incumbent turning a deaf ear to all arguments. That resulted in the concerted U. S. walkout plan.

Last week, when it became certain that the Americans intended to carry through the walkout and weren't stalling, the Mexican government sent for the Americans and asked for more time. Distributors explained they couldn't afford it, having given the government plenty of warning. Government then asked for permission to look over the books of the U. S. firms and see whether the taxes really hurt as much as claimed. This was agreed on and with that done the Mexican tax department promised absolutely that the year 1935, but not for 1934. On the promise, the American agents to stay in business and sent salesmen out again, but they're still arguing on the 1934 angle, claiming they're really entitled to have the time retroactive.

## Nordisk Plans More Actions Against U. S.

Filmers; Sweden Next

Stockholm, Feb. 8.

Nordisk Tonnell, biggest film company in Denmark, which recently won court proceedings against all the American distributors in Denmark on an alleged patent infringement, has started the same action in Norway and is expected shortly to follow suit in Sweden.

Nordisk company is sitting pretty in Denmark and is now casting its eyes on Norway and Sweden, although the chances are that it will take some years before the Swedish branches of the American companies are forced to pay. They are now paying royalties to Nordisk in Denmark. All U. S. companies except Metro, Fox and Radio are involved.

Nordisk established a studio of its own in Sweden three years ago but has not been successful with it. Having produced only three pictures since its start. Seems that Paramount and Nordisk were dickering with each other at the time this studio was planned, as Paramount wanted to have some pictures made in Sweden, but later changed its mind.

Svensk Filmindustri has just closed a deal with Nordisk Tonnell, according to which Svensk will use the Danish Poulsen-Pedersen sound patents for the Svensk studio in Stockholm. This is considered an improvement for the studio, since it is now Paramount, which has hitherto been working with A-Baltic sound (Swedish).

Not known yet whether Nordisk still discontinue its own studio here or whether it will continue independent production for the time being.

## No More Government Interference In German Filming, Goebbels Says; 'Industry Must Now Stand on Own'

## 'La Vie Parisienne' in Anglo-French Versions

Paris, Feb. 10.

United Artists has signed up S. Neibenzahl, exiled German film producer now in the U. S., to make English and French versions of Offenbach's operetta 'La Vie Parisienne'.

Piece is one of the perpetual music successes of the local stage. American part is to be brought over for the English version and, although no final arrangements are yet made, it is believed that an American director also will be imported.

## HIGH TAX, COIN CURB, ANNOY U. S. IN GER.

Berlin, Feb. 10.

American pictures here continue to take it on the chin because of high import license fees. Licenses cost about \$5,000 and the importers run the risk of having their pictures banned after they've been admitted under quota.

Producers may be forced into production here because of their growing balance in marks from rentals which cannot be taken out of the country except in forms of merchandise.

Only solution, it is believed here, is for the Americans to produce bilingual Anglo-German pix, taking the English negatives out of the country and selling them.

## 'KID MILLIONS' GETS SPECIAL PARIS GALA

Paris, Feb. 10.

Newspaper Intransigent, in an entire day of gala, moved into the Lord Byron-Champs Elysees show-case Tuesday (5), remaining the house the Miracles-Lord Byron and opening a public information hall in the remodeled lobby.

Occasion was premiere of 'Kid Millions' (UA) but United Artists took a back seat, and so did M. Umanaki, owner of the theatre, to whom the day was just a series of meetings and a luncheon.

Newspaper is cashing in, from a prestige viewpoint, on alliance by which it gave thousands of dollars worth of advertising to the Umanaki chain and United Artists. It gets a Champs-Elysees site for its Miracles Theatre, which formerly was next door to its plant on Rue Reaumur-and-which-closed-to-engage its presence.

Newspapermen took advantage of his gala to get revenge on Umanaki, who has been tough about giving admissions, even to recognized film critics. At a luncheon for the press Louis-Louis-Dryfus, millionaire wheat king-banker and owner of the Intrat, told newsmen openly that he understood they had been badly treated and that in the future 'French hospitality' (which is a fact that Umanaki is a foreigner) would reign at the theatre.

Despite bad reviews, however, the picture opened to big business, doing about 375 on its first day, which is a high single day's gross for the house with only 450 seats.

Tuesday's gala, in addition to the press luncheon and afternoon press show, consisted of an ultra-swell evening performance, to which the official and social worlds were invited. Third performance was put on as a makeshift for stage folk who were working and unable to come to early show.

Berlin, Feb. 10.

Reichminister for Propaganda, Dr. Joseph Goebbels, publicly did not allow any more and has repudiated censor methods hitherto in vogue, saying films in the future would be hampered by governmental interference or influence.

Peters shaken from German film industry on occasion of the dedication of the Reich's Film Archives, ceremony being attended by Chancellor Hitler.

Dr. Scheuermann, proxy of the Film Kammer, said the archives would preserve the best historical, cultural and artistic pictures so that the industry could consult them for future uses tending to build up German pix generally.

Goebbels said the time of cleaning up the industry was at an end, hence the government could give 'positive assistance' to business instead of 'negatively assisting' through censors and prohibitions.

'Naturally'

'Naturally' with an annual production of 150 to 180 pictures each one cannot be a work of art, Goebbels said. 'We have lacked good films with comedy, humor and laughs. We've even lacked artistic films.'

I have always known that art can be produced by speeches, therefore in the last months we've appealed to both the business and artistic ends of the business.'

Goebbels recounted Nazi efforts to assist films by establishing the Film Bank, endowing a prize and founding a national directorial office.

'We assisted the industry,' he continued, 'to enable artists to show their talents and in the first effort, to produce really monumental German film we will remove a measure of influence.'

No State Industry

'It is not intended to build up a state film industry, but rather to serve the existing industry with all the facilities available. That film has its own laws is known, but here and there some have had the notion that filming a stage opera was sufficient.'

'If filming laws are followed, then it will be possible for German artists and German films to conquer the world.'

'I have no intention of haranguing, or handicapping the industry. No artist or party propaganda films stands watching over him.'

Goebbels said also that public taste leaned more toward wholesome films and in conclusion took a parting shot at the Nazi partisans, 'I rushed (many at Goebbels orders) party propaganda films into production glorifying the stormers; 'The world today doesn't want German films of the time we look over the power. The world wants films of high quality.'

## H. T. MARSH, B-D HEAD, SUCCUMBS IN LONDON

London, Feb. 19.

Hubert T. Marsh, 56, managing director and chairman of the board of British & Dominion, died suddenly Thursday (14) of heart failure.

Marsh was primarily a financier. He joined with Herbert Wilcox in formation of B & D some years ago, and was long the first of his films distributed via Gaumont-British. Then he handled the deal whereby United Artists took over a B & D pictures for world distribution. He was the first of the film deals whereby Britishers spread out internationally. It was a free-runner of the formation of Kodak's London Films and ambitious enlargement of plans of Gaumont-British.

Marsh was considered in London one of the few film men with really important contracts in the business sector, and was planning another big deal when the sudden heart attack came.

**UNIVERSAL HITS A PACE-  
SETTING STRIDE FOR THE  
INDUSTRY! . . . THREE BIG  
ONES ON BROADWAY  
IN A SINGLE MONTH!**

*"The* **GOOD  
FAIRY"**

played to line-up business at RADIO  
CITY MUSIC HALL the week before last!  
And is now mopping up in the first-runs  
throughout the country!

*"The* **MYSTERY of  
EDWIN DROOD"**

is booked into RADIO CITY MUSIC  
HALL for March 14th! And 1935's only  
just begun for UNIVERSAL!





# EXCITATION

By Epes W. Sargent

## Lenten Gags

Lent comes fairly late this year, but it's time now to start in to plan for cooking school, lectures, bridge instruction, whatever will bring attendance in the penitential season.

Best stunt is to get something that alone will win the attention charged, with the persons who are strictly observing the period feeling that it was worth while even if they leave the theatre before the show proper starts.

Cooking class is generally the best bet, particularly if samples can be promoted. Where N.A. permits baskets of groceries, donated by various stores, should be used. Good plan is to have the baskets by the name of the merchant, each grocer contributing one. He'll naturally want to make as good showing as his competitors and may try to beat the others, which will give better value. Lessons should be on spring dishes rather than standards. In order to be timely. Might be possible to promote a yearling of kitchenware to give to you for one or two shows, with a prize of one of the articles for the best designed, cooked, probably one involving the use of labor-saving devices.

Lectures can be based on scenic reels if a good lecturer is procured, and properly done will be strong enough for a solo morning attraction for perhaps an hour and a half. Musical comedies can be promoted, where such exist, to give Easter selections, with a brief introduction to each selection to emphasize the educational value. That's the big value. Give those who want entertainment a chance to save their consciences.

## Hustling for 'Clive'

Frank Savage made a nice campaign for 'Clive of India' at the Warner theatre, Youngstown, starting with a poster and a 100-grade school teachers on the educational value of the feature. It was backed (with money) by the head of the Youngstown Cinema Club, and carried greater weight than anything emanating from the theatre.

Local tea concern was tied up with the picture through the donation of 100 photos of Colman and Corretta Young, which were given by the store as premiums, and store displays were arranged to show the photos. The store also gave the cashiers' desks. There was a radio announcement two days in advance, and the newspaper carried the picture with nifty displays on the classified page. Apparently Savage is aces with this paper. For the time being, however, 'David Copperfield' like news event. As a matter of fact, it was, since it was the first picture to hold over for a second week.

## Plenty Doing

Loew's theatre, Rochester, put plenty on the ball for 'Clive of India'. Best bets were 3,000 copies of program books for children and the same number of lucky charms for adults. Books were good grade and amply similar to what is selling for a nickel at the dime stores. 'Timely' was a Valentine greeting enclosed with all V. U. messages. Text told it took Clive 18 months to get a Valentine to his sweetheart in 1732, but he could do it pronto via W. U. 200 years later. The stands put up 200 tack cards for a fan gam contest and 5,000 inserts were given out, each stamped with stars, which brought in crowds. Paper napkins were given away, stamped '225 Penn.' to get attention. The program that anyone should be soaked that who failed to see 'Clive'.

With the Rochester American brought 2,200 copies of a full page ad in color running in the American in color and hand written postcards were mailed from New York City to a hotel picture. Outside that they used the newspapers plenty.

## Paid-And Paid

Manager Bill Singer of the Brandels theatre lent his house out for one of those good-luck-ups that occasionally offer. 'Sight Seeing Omaha' (backed by Nebraska Power Co.) took over the house Saturday morning to give a show. Council aims to get the lads and lassies interested in good light, etc., and devised the show as the means. A Buck Jones feature with a Mickey McGuire short was the fare offered to them to turn out some 1,500 turning out to see the 1,200-seat house to the roof. Council paid for use of the hall on top of the average 10-cent charge. It reaped in the dailies and the chance to plug its own bills to the kids.

## N. Y. Paper Helped

Reading. Start of the serial, 'Tallspin Tommy', at the State, Wilmer & Co. has been the signal for inauguration of a comprehensive exploitation campaign by Spencer Bentley, house manager.

He arranged to have 5,000 Tallspin Tommy puzzles inserted in all N. Y. Daily Mirrors distributed in Berks county, from which State draws bulk of its patronage. Each puzzle explained that the first 25 successful solutions would win a pair of passes to the theatre.

More than 200 window cards were spotted on news stands used by the Berks County News through the cooperation of this paper.

And when the first chapter of 'Tallspin Tommy' serial opened, about 250 miniature airplanes were dropped from the theatre dome. Announcements had been made two weeks prior to this that the total number set loose, twenty-five would contain some prizes. Consequently, the youngsters swamped the theatre on the date for the give-away, and the theatre was crowded with audience and sending the serial off in fine style.

## Pimpinel for Deeds

Baltimore. In publishing 'Scarlet Pimpinel' (U.A.), current at Loew's Century, exploit Herb Morgan purchased a small board, made to fit most of potted pimpinels and interested Louis Azael, New-Post columnist, in awarding a plan and a copy of the book to every day of the week the columnist might consider a deed of civic good during the week lay picture play the century.

Another stunt Morgan cooked up in advance of the flick's date at the Century was the distributing around town in restaurants of 'redneck' cards which were spotted on tables in the canteens. Copy read, 'Rebels in the South. The South is coming....' and then in smaller type, discernible when the picture was seen, 'The Century theatre, week of Feb. 15 at Loew's Century theatre. Make a mental reservation to see this grand picture.'

## Exit Info

Something that will be appreciated in most spots has been worked out by John Divney, of the Maine, Portland, for his lobby display. It's a cast board, made to fit most of frames and giving the casts of the current showings. Most patrons seem to remember the names, particularly when they are flashed only before the showing. They will stop and read the names, and the theatre has mention of the underline, they'll get that idea, too.

The idea is not worth much unless it is used to keep the audience from the habit of stopping on the way out.

## Free Air Time

Paramount theatre, Boston, has just inaugurated a weekly radio feature over Station WEEI (Boston) which has proven a valuable biz building. The radio publicity department contacted the local radio station with the offer of a 15-minute spot on the current picture. The station and arranged to supply a sustaining program called 'A Bit of This and a Bit of That' with a script each week. Script comes direct from the film studios and gives enough of the story to act as teaser for radio audience. Radio station staff dramatizes it during the half hour on air, 12:45 to 1:15. Theatre's quartet has been heard on opening day of the show, Thursday. House, round features, and chooses what it figures the best bet for radio publicity. Either time gratis, the broadcast was on 'Woman in Red'.

## Sequoia Contest

Metro is planning a pupil's essay contest to plug 'Sequoia' in the spring from New York to New Orleans, suggested in an 'educational handbook' which may be ordered by teachers in bulk at 25¢ each. Each of the 100 schools each receives a copy of 'Mailbox' from which the picture was derived, to be given a pupil of that school.

This is apart from the general contest in which the prizes are six trips from New York to New Orleans by rail to Sequoia Nat. Park for a week, then Hollywood and a visit at the Metro studios and home by rail.

## 1,000 Ball Teams

Hal Roach planning to organize 1,000 'Our Gang' baseball teams when the official batting season begins in April. The teams are sponsored by local exhibitors throughout the country. Idea tied up with New York manufacturer of kids' baseball suits and pennants. Detailed manual of exploitation stunts to be pulled is now on the press.

## Sizing Printing

Advertising department of M. & P. theatres, Boston, is doing a lot of printing for the various houses, standardizing the size so that either two or four throwaways can be printed with one impression, saving press costs. Recently Mel Morrison, of the Strand, donated wanted one ballots for a baby contest, in four face values. He sized them to the standard, had them set apart, and procured 12,000 ballots for the price of 3,000 impressions. Plenty of money can be saved in the long run by sizing the printing to suit standards instead of varying the form. Unless they get to looking too much alike, it's an advantage.

## Sothern Sweets

Harrisburg. Small inexpensive envelope containing flat confection was used as a giveaway in exploiting Ann Sother in 'Blind Date' at the Capitol Theatre. Plain printing matter on front of the envelope stated, 'Here is a bit of sweetness to you from Ann Sother, the lovely star on 'Blind Date', and then listed the playdates and name of the show. The envelope was used and attracted an unusual amount of interest in the feature.

# BEHIND the KEYS

Milwaukee. Howard Strelar returned to Fox Miller as assistant manager, from Garden. Louis Shimon now at Garden.

Boston. Majestic goes foreign pic, opening with 'Don Quixote' this week. Former Boston light house leased by the theatre. The Strand Picture House, N. Y. Ira Tuliphan house manager.

Hamilton, O. Tracy Barham, general manager South Theatre, Inc., Hamilton, announced appointment George Plonk as city manager at Marion, O., with supervision over the Palace and Marion. Succeeds Roy E. Peffley, who goes to Middletown, O., as city manager in charge of Paramount and Strand.

St. John, N. B. A man was seen entering the burned Strand picture house in Springfield, N. S., at 1:30 a.m. and he came out with a bundle at 2:15 a.m. The fire was seen at 1:30 a.m. and the building being completely destroyed. The house had been dark for a year, and the fire was caused by a short circuit in the wiring. The equipment by the owners, (Miss M. J. Anderson and her sister, Mrs. M. J. Anderson), was completely destroyed. The house, seating 800, was built 13 years ago. Paramount film change in St. John lost a feature film, 'Whitching Hour', and a Betty Boop comedy in the flames. There was no damage to the equipment of the house. The two sisters' millinery shop in the next block next the theatre was badly damaged.

Youngstown. Tom Long, for some time identified with New York theatres, is the new publicity man for the Palace theatre here.

Los Angeles. El Portal (F-WC) theatre. Hollywood tilted its gate from 30c to 35c. Hollywood's newest picture house, the El Portal, opened last Thursday (14) by Herman Lewis.

Ashland, O. A. R. Cooper, local theatre exec, has gone to Buffalo, N. Y., to negotiate the purchase of the Shubert-Tek theatre, oldest legitimate playhouse there. He plans to install a vaude-film policy, opening about March 1.

Lincoln. Harry 'Dusty' Miller heads the picture operators here for another year, according to results in the 1935 election. Roy L. Miller, president; Ash Williams, secretary; John Braun, treasurer; and Buzz Dewey, business agent.

Central States Theatre Corp. has purchased the Rex here from C. B. Marks to add to its Nebraska string.

Kittanning, Pa. Dipson Theatre, Kittanning, Inc., has taken over the State theatre here. George Otto is managing.

Natrona, Pa. The new Keystone theatre reopened recently. J. O. (Jack) Reiser, Fred W. Jackson is co-managing. Reiser and Jackson are jointly associated as partners in distributing foreign and domestic

## Impressed Air Force

San Antonio. As part of his campaign in exploiting 'Devil Dogs of the Air' at the Alamo, Arthur LaFollette has secured the co-operation of Kelly Field for the loan of over \$50,000 worth of aviation equipment for display in his lobby. In addition, Esberg arranged for matinee and night demonstrations of packing and unpacking a parachute, a stunt which drew attention. Photos were taken four times daily of the patrons who turned out for the performance, with stills of same given away to each patron free.

Esberg's campaign 'broke' for loads of free publicity space in the dailies, and helped give the theatre one of its biggest grosses in years, despite adverse weather conditions.

## Limited Captions

One of the best bets in the Loew's, Rochester, campaign for 'Clive of India' is the picture contest in which scene cuts were run with prizes for the best captions of exactly 15 letters at \$2.50 and \$7.00. There were other newspaper co-operations on the picture, but this was the outstanding.

That stunt proved a man in a white linen suit and tropical helmet.

films, are the proprietors. Rainey also operates the Olympic, Verona.

Hollywood. Frank L. Browne, former F-WC house manager, is managing the Hollywood (picture) for Bourke & Peterson.

Milwaukee. Louis C. Shimon has joined Garden theatre staff as assistant manager in charge of exploitation and publicity.

Charlotte, N. C. Charlotte's new imperial theatre opened Monday (18); C. E. Stone, manager. Eugene Street, city manager of the three Kinney houses here, will supervise.

B. B. Benfield, owner of a chain of motion picture theatres in the two Carolinas, to erect a theatre at Myrtle Beach, S. C.

about building permit has been issued for the erection of a new Charlotte home for Fox Film Company, costing \$41,000.

Denver. Ross Labach has reopened the Strand theatre, at Sagamore, Colo. It's been over three years since the town has had a cinema, and then only a small one.

Fred Lind is building a new theatre at Rifle, Colo., which he will operate in addition to his houses at Littleton and Littleton. John Anderson leased the USA and Cover theatre at St. Morgan about a year ago to Edwin Bluch and went to California to live and re-enter the drug business. But he was not the owner of the leases and is operating again.

Gibraltar, a holding company, has bought the Rialto at Loveland from J. J. Goldstein.

New York City. Weiss Brothers, formerly operators of the Boro theatre, in the Bronx, have taken over the Verona in lower Harlem. House has been reopened as the Victoria.

Albany. Louis Capra has leased the Albany Regent, downtown films. Edward Selette the new manager.

St. Paul. Fred H. Jackson is co-managing the renovated Schine's State, films, in Hamilton.

Atlantic City. Alvin Steinberg, publicity director at the Auditorium, has resigned to become publicity director and production manager at the Million Dollar Pier.

Toronto. Ken Finlay has been placed in charge of advertising for all F.P. Can spots from Winnipeg to the Coast, with the exception of the Vancouver district.

Portland, Ore. Fred Mency has replaced the 'Roxey' in Walla Walla, Wash.

Bob Moore, formerly assistant manager at Evergreen's Paramount in Portland, has been transferred to the American in Bellingham, Wash.

Portland exhibits have appointed a committee to negotiate with the city council to get license fees.

London, Can. Loew's London theatre is celebrating its 15th birthday, while the new Fred H. Jackson is celebrating his 15th anniversary with Loew's, Inc.

## Asked the Ladies

Washington. Frank LaFollette, Warner exploiter in this territory, put over a novel radio campaign for the showing of 'Bordertown' at the Earle theatre here, that helped put the picture over for big grosses.

Writing the advertisement of Station WJVS, LaFollette invited three hundred local housewives to be the guests of the theatre at the initial matinee showing of 'Bordertown', after which they were to give their reactions to the picture.

The stunt was built around the title of the picture, with the women being given the questionable cards carrying the following copy:

'What Is Your Opinion of "Bordertown", with Paul Muni & Bette Davis?'

'What Title Would You Give This Picture?'

Kids and 'Copperfield'. Howard Waugh, manager of the Warner Memphis show, knows his way about. Has known it for a lot of years. In a recent issue of his paper, the Memphis Commercial Appeal, his managers positive instructions not to stage special kiddie shows on David Copperfield.

That stunt proved a man in a white linen suit and tropical helmet.

Waugh points out that it not only will create the impression that it is a kiddie picture, but that many parents will refrain from taking the youngsters if they can send them to a special show.

That's a new way of looking at it, but it is a sound idea.

Waugh tells his managers to sell the picture to the kids through the school teachers and then let the children drag the parents in, too.

## 'Kid' in London

Ice cream and music were the objects of special drives by Robb Lawson, U. A. publicity director in London, when 'Kid Millions' opened at the Regent. Lawson had the full distribution of the musical, ice cream, and both that store and the Regent were taking cutouts. Thousands of colored window streamers were given photograph and music dealers on the Regent, which were taking cutouts and other window displays.

In addition, Lawson tied practically every merchandise in the classification to some form of tie-in. People simply could not avoid knowing the Capitol picture was in town.

## On the Railroad

One of the best window displays for 'David Copperfield' at the Capitol, N. Y., was planted in the window of the Capitol. The house has a big window in its office at Fifth avenue and 46th street. The road generally has a display of its regular mail, and a spot where it does plenty of good.

## Into a Tallspin

Harrisburg, Pa. Victoria theatre used its Victoria Junior Club membership in promoting an airplane model contest to tally the 'Tallspin Tommy' serial. More than 75 models were entered in the contest by the time the fifth number of this airplane serial had been shown in the house. To create interest in the Junior Club membership about 1,000 buttons are distributed each Saturday morning at the regular matinee. The contest is a theatre promotional organization.

## College Chanters

Lincoln. Getting the right kind of atmosphere, the old barroom quartet, E. A. Jones, has headed the opening of 'Sweet Adeline' by recruiting student quartet from the University, tossing them in the derby, handling the costumes, and towing them around to all the cafes, hotel and restaurants. The quartet includes two, Foursome got a big hand everywhere and was a good investment producer.

## Theatre Wins Award

Lincoln. For the first time in the history of the Ad Club here, organization embracing all the ad men in the city, a theatre won the club's top award, the Ad-of-the-Month. House won the prize for the picture, 'Ad of the Month'. The club is an organization of ad men and the 'Ad of the Month' award was composed entirely of written recommendations from which won an interesting picture of the picture, 'Ad of the Month' takes a bend at the waist for the idea.

# PLAN *now...*

## FOR EXTENDED RUNS ON THESE FOX HITS!

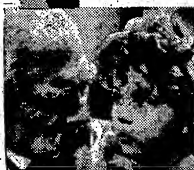
**JANET GAYNOR** in **WARNER BAXTER**  
**ONE MORE SPRING**

With Walter King, Jane Darwell, Roger Imhof, Grant Mitchell, Rosemary Ames, John Qualen, Nick Foran and Stepin Fetchit. Produced by Winfield Sheehan. Directed by Henry King. From Robert Nathan's best-selling novel. Screen play and dialogue by Edwin Burke.



**SHIRLEY TEMPLE**  
**LIONEL BARRYMORE**  
in  
**The LITTLE COLONEL**

A B. G. DeSylva Production. With Evelyn Venable, John Lodge and Bill Robinson. Directed by David Butler. Screen play and adaptation by William Conselman. Based on the story by Annie Fellows Johnston.



**GEORGE WHITE'S**  
**1935 SCANDALS**

With ALICE FAYE, JAMES DUNN, NED SPARKS, Lyda Roberti, Cliff Edwards, Arline Judge, Eleanor Powell, Benny Rubin, Emma Dunn, GEORGE WHITE. Entire production conceived, produced and directed by George White. Screen play by Jack Yellen and Patterson McNutt. Based on a story by Sam Hellman and Gladys Lehman.



**WILL ROGERS** in  
**LIFE BEGINS AT 40**

With Rochelle Hudson, Richard Cromwell, George Barbier, Jane Darwell, Slim Summerville, Sterling Holloway. Produced by Sol M. Wurtzel. Directed by George Marshall. Suggested by the book by Walter B. Pitkin. Screen play by Lamar Trotti.



**The**  
**GREAT HOTEL**  
**MURDER**

with  
**EDMUND LOWE** **VICTOR McLAGLEN**

Rosemary Ames, Mary Carlisle, Henry O'Neill, C. Henry Gordon. Produced by John Stone. Directed by Eugene Forde. Screen play by Arthur Kober. Story by Vincent Starrett.



# Bandit's \$10,200 at Roxy

**Claimed Biggest B'way Holdup Since That Flop Picture Got 30%**

While more than 2,000 customers were watching the last showing of 'Behold, My Wife' (Par) Sunday night (17), a bandit, single-handed, held up the treasurer and two other employees of the Roxy theatre, N. Y., and made his escape with about \$10,200 in bills. Approximately \$5,000 was left untouched.

The three employees, trussed up with picture wire were Frank Muldoon, treasurer; Walter Corwin, assistant treasurer; and James P. Sapienza, assistant manager. Thief reached the office, by complaining that he had been managed at the box office.

Before grabbing the coin the bandit asked how much money was around. He was told around \$10,000. 'Somebody gave me a bum steer,' the robber replied.

One of the trio freed his legs and got to a telephone after the robber had departed. 'Latter wasn't caught. Money is covered by insurance.'

This is the first big holdup of a Broadway house since '29, when the Par was rifled. Two years ago an attempt was made on the Palace, but the alarm went off and chased the bandits away.

## MD. COUNTIES READY BILLS FOR SUN. FILMS

Baltimore, Feb. 19.

Though at present Sunday pictures in Maryland are shown only in Baltimore county, which was given Sabbath showings after the citizenry voted overwhelmingly for them in 1929, bills advocating amendments to the state statute which forbids Sabbath showings throughout the rest of Maryland are being readied by several of the more thickly populated counties of the state.

However, hopes for Sunday films on the Eastern Shore are pretty thin. Sparsely populated region, with but few theatres, the counties are reported still unrelenting in their self-imposed ban.

## Jail Threat for Coast Mgrs. in Standee Drive

Los Angeles, Feb. 19.

Jail sentences, without alternative of a fine or suspension, is threat held out by Municipal Judge Irvin Taplin if any further violations of the standee ordinance in theatres or for overcrowding and blocking of theatre aisles, are brought before him.

George E. Lundberg, assistant manager of Loew's State, pincher in the fire department raid of a week ago, was fined \$50 and given a 30-day suspended sentence by Judge Taplin. Jurist, in pronouncing sentence, severely arraigned the accused and minced no words as to what would happen to future violators of the law.

## Frisco Embassy Orphaned

San Francisco, Feb. 19.

First house to be dropped by Fox West Coast since emerging from its bankruptcy both in the Embassy here, which it has been operating off and on for the Gore Bros. for about two years.

Circuit took over operation in August of 1932, with house dark most of the time. Gore have a long term lease on the premises.

## Ore. Indies Front

Portland, Ore., Feb. 19.

Oregon independent theatres want their license fees cut and have appointed a committee to negotiate with the Portland city council. They state they are not going to wait for the state legislature to figure out some additions.

William Catta, executive secretary of Allied of Oregon; Hal M. White, William Graper and I. Geller have been named a committee. Seat tax and inspection charge will be the targets.

## Unkind

San Francisco, Feb. 19.

Herman Kerkon, manager, and Charlie Tait, booking head of Warfield, Frisco Fox West Coast house are still burned.

Pair, inspired to charity, loosened two bits apiece to panhandler. Panhandler then stepped to window of RKO Golden Gate theatre and bought ticket for Gate's show.

## Say Anti-Preferred Playing Time Bill Has Chance in Ohio

Columbus, Feb. 19.

Officially known as Bill 88, a measure blocking film distributors from designating days on which certain pictures must be played, now before the Ohio legislative body, is judged to have a good chance for passage, according to authoritative observers in this capital.

On the docket for Thursday (14) the hearing and vote was set ahead until today (Tuesday) or tomorrow (Wednesday).

A letter sent to legislators by the Ohio Congress of Parents and Teachers asked for the bill's passage on the grounds that pictures designated by producers for Saturday-Sunday showings are usually of an objectionable nature, and apt to offend the sensibilities of children, comprising the bulk of the indie theatre's audiences. State senators are taking this letter to heart.

Bill 88 is also endorsed by the Ohio Council of Churches. It was presented by Senator Edward N. Waldvogel, Cincinnati, at the request of P. H. Wood, secretary of the Independent Theatre Owners of Ohio.

Recent canvassing of Ohio lawmakers indicates they are well satisfied by new tax setup, over old 1929 law on violations which was repealed last November. Inquiry at Ohio tax commission offices showed that annual income figures for old tax, stated as \$775,000 in last week's Vantage, was incorrect, official figure (year ending December 1934) being slightly under \$3,000,000.

## \$3,500 Error

Minneapolis, Feb. 19.

A mistake in drawing up a film contract, perhaps by a clerk in the office, will cost Warner Brothers-Viagraph here \$3,500 in rentals plus the cost of special attorney fees incurred by Hopkins & Nelson, Westbrook, Minn., exhibitors, who were sued by the exchange.

Exchange sought damages in the amount of \$2,500 for alleged violation of the copyright laws. It charged that Hopkins & Nelson held over films for three-day showings, whereas the contract called only for two days.

Exhibitors asserted that the contracts were signed in blank and that it was understood between the parties that the pictures could be run three days if business warranted. Judge H. C. Bell, in Federal district court, deciding in the exhibitors' favor, ruled that the error had been made at the exchange in the contracts' preparation. Suit was filed in 1932.

## Bill Jacobs Yarn

Hollywood, Feb. 19.

'March of the Mormons,' yarn based on the life of Brigham Young and authored by Bill Jacobs, will be produced by Bryan Foy this summer.

Jacobs, once-time Chicago agent, was a production exec. at the Foy studios.

## Griddler Moves Over

San Francisco, Feb. 19.

Charles Starrett took the lead opposite Stef Duna in Metro's 'Order, Please.' Jack Conway will direct. Starrett, former Dartmouth end, was brought out here by Paramount.

## 'TIME' IN CANADA

F-P Canadian Takes Series, Eliminating Loew in Toronto

Toronto, Feb. 19.

Famous Players Canadian has secured Dominion rights to 'March of Time' releases. Ten prints will cover the key-house per issue.

Loew's Dominion expected to get the Toronto franchise, was overlooked, with F-P-Can operating around 200 theatres across Canada. Loew's operates only two theatres in Canada—one in Toronto and the one in London.

## ARIZ. SHOWMEN OPPOSE PROPOSED TAX BILLS

Phoenix, Feb. 19.

Theatres, film distributors and all forms of amusements, including employees, will be hit by heavy additional taxes in this state if two bills, now before the state legislature, are enacted into law. First of the bills, a Senate measure, provides a tax of 4% on the gross sales of all business ventures within the State.

An Assembly measure, much more drastic in its aims, is labeled a gross income tax act. It proposes a levy of 2% on gross earnings of all business within the state, and a like tax against the earnings of all employees, without the customary deductions.

Theatre interests are lining up to protest both bills, with principal activity directed against the gross income tax measure.

## Judge Puts Off Contempt Order in Sound Suit

Minneapolis, Feb. 19.

Quashing a contempt of court order against Cinema Supplies, Inc., on basis of an affidavit that Ultraphone sound equipment, and Theodore Karatz, its president, Judge Nordbye, in federal district court here, reserved jurisdiction over the matter until final determination of the patent infringement suit by Western Electric against Cinema Supplies.

Judge Nordbye had found the defendants guilty of contempt of court for willfully and unlawfully violating the court's order temporarily restraining them from making shipment of amplifiers and loudspeakers which Western Electric alleges infringe on its patents. He was to have pronounced sentence, but after hearing the plea of Ben Deland, counsel for Cinema Supplies, and Karatz, he consented to strike from his findings all reference to the alleged violation of his temporary restraining order.

After final decision in the case, Judge Nordbye indicated, he will decide and order against Cinema Supplies and Karatz were guilty of contempt.

Hearing on Western Electric's application for a temporary injunction to halt the manufacture and distribution of Ultraphone sound equipment and the alleged infringements is scheduled for March 11.

## K-C Subsid Reopening And Remodeling A Few

Greensboro, N. C., Feb. 19.

With conditions considerably improved, North Carolina Theatres, Inc., major link in the Kinney & Wilby chain, at annual meeting Saturday (14) voted to reopen some houses and remodel 10 others. Chain includes 40 theatres.

Both R. B. Wilby and H. F. Kinney attended the annual stockholders' get-together, while Arthur Israel, Par attorney from the home office, also came down. The North Carolina chain is controlled 50% by Par, the other 60% being owned by Wilby, Arthur Lucas and other outsiders.

No dividend on the stock was declared.

## Wins \$2,000 Award

Toronto, Feb. 19.

Seeking \$10,000 for alleged breach of contract, following his dismissal by Page Theatres (chain), Jack Barden was awarded \$2,000 and costs by the Supreme Court here.

Barden, who had been given a contract when his father, Solomon Barden, leased his Lantz theatre to the Page chain. Defendants denied wrongful dismissal and claimed insubordination.

# Chicago Exchanges Will Answer Astor Suit Individually; Exhibs Worry Over 10c-Duals Return

## No Dunking?

Brooklyn, Feb. 19.

Crystal, grand house in the Boro Hall vicinity, is getting a better play from weary pedestrians—since it began offering lunch with each 10c admision.

Crub consists of coffee, crullers, etc., and two feature flickers.

## Coast Exhib Slices Roost Tariff, Faces Loss of Warners' Pix

Los Angeles, Feb. 19.

Warners-First National has served notice on Arnold Schack, operating the Long Beach theatre in Long Beach, that it will refuse to furnish house with its product while recent balcony price of 15c, recently instituted, continues in effect.

Warners contend they hold a contract with the exhibitor calling for a 20c minimum admission, and insists that he live up to the agreement.

Other local distributers have taken no penalizing action against the Long Beach, Indle., who recently eliminated a 20c minimum and put in the 15c gate.

Metro exchange here is engaged in a branch with Fox West Coast over circuit's request that 'David Copperfield' be permitted to be shown in its Wilshire, Beverly Hills, seven days after close of first run in Los Angeles and Hollywood, although regular clearance demanded by the first runs is 14 days.

Branch Manager J. J. Milstein of Metro is staying put with circuit execs burning up the wires between here and New York in an effort to have his stand overruled.

## REPORT BRANDT TAKING OVER AUDUBON, N. Y.

Audubon theatre, uptown New York, formerly operated by Skouras Brothers, is reported going to Harry Brandt. Deal is understood on basis of a 20c minimum rental guaranty of \$25,000 against 17% of the gross.

Brandt operates a score or more nabe houses in New York and is also president of the local indie theatre owners' association.

## Pitt's Price Juggling

Pittsburgh, Feb. 19.

First retraction from the film companies in the Pittsburgh price war came last week when the Harris-Alvin returned to its old scale, eliminating the 15c early bird matinee after one week and the Fulton rental guaranty of \$25,000 against 17% of the gross.

Understood major firms claimed contracts were abrogated by dilapidation, reductions. Alvin as result went back immediately to 25 and 40c scale and expects to encounter no further difficulty from the exchange. Fulton holds firm to 15-20-35 schedule and may lose a number of contracted pictures. House may take some action later, but not until Metro Shea returns from vacation in Florida.

Last minute substitution brings in 'Iron Duke' instead of 'Temple film' at the Fulton. Believed here that Fox will be the only company to offer resistance to Fulton's low scale. This house remains the only single feature straight picture house in town.

## Fier Roosts on Coast

Hollywood, Feb. 19.

Returning from a swing of changes Jack Fier, in charge of sales for Mascot, planned in from Kansas City Saturday (16).

He will be located here permanently.

## Wharton Returns East

Hollywood, Feb. 19.

John P. Wharton, general counsel for Pioneer Pictures, returned to New York by train Friday (18).

Had been here four days discussing business and plans with Jack Whitley and Melvin G. Cooper.

Legal battle of the Astor theatre against local circuits, major exchanges and the Exhibitors Ass'n. has been postponed until Thursday or Saturday of this week when the eight exchanges and the circuits will individually ask the court to refuse the Astor's request for an injunction and mandamus.

Astor theatre suing the exchanges and circuits claiming conspiracy in being shut off without service for either 10c pictures or double features. Besides the suit asking for a ruling in New York major pictures at 10c, or with double features, the Astor is also suing the exchanges, circuits and individual heads of the circuits here, for \$100,000-damages. This would mean \$300,000-damages in reality since the court automatically triples the amount of damages if awarded in such suits.

Main issue is that cases will be decided in New York last week that each exchange handle its own part of the suit. Initial intention of the meeting was to handle the Astor cases as single birds. Decision to have each exchange defend its own case follows the apparent Hays feeling that a single attorney, representing all eight exchanges, might not be well in defending a suit which alleges conspiracy of these eight exchanges.

To the Tenth

Other main angle in the case is the evident decision of the exchanges to fight the Astor case instead of settling out of court. Rumors about town last week were that the exchanges would not let the case go before the judge at all but would reach agreement with the theatre out of court. These rumors were dispelled with the appearance of various attorneys when the court handed down the postponement ruling.

Other suit which has firm row talking is the case of the Public theatre against the eight major exchanges. Public suit is asking for product at both 10c and double features. Public tried to tie the case to the Astor case in a joint plaint but the Astor decided to go it alone.

Excitement regarding the Public suit is the steady stream of reports that the Public mis-cases is being sponsored financially by several independent and states rights exchanges. Indie exchanges have been taking it on the chin in this town for the past two years since double bills were kicked off. They figure it is costing them a loss of \$400,000 annually. Indie exchanges are hot on the trail for twin bills and are working on the same angles as the Public mis-cases.

On the other hand there is not a question that the majority of the exhibitors, both independent and circuit, do not want to return to either 10c tickets or double features. This territory had a taste of the wild bargain spree three years ago, and it almost wrecked the exhibition biz for everybody. It was with a sigh of relief that the exhibitors finally got together on a general agreement to do away with twin pix and the 10c duets.

Business has been good in town for the past six months. It is good right now and the exhibitors are holding their breath for fear something will happen to break the trend, afraid that one or two houses may kick over the traces and ruin it for everybody.

It is now being discussed whether to again call a general meeting of exhibitors for another vote on whether the territory should finally go to singles and minimum. From present indications there seems little doubt that the exhibs would vote for the continuation of the present setup.



# THE GREATEST SHOW AFLOAT

## SONGS!



Hear Massa Bing, the Singing Killer, Sing "Down By The River", "Soon", "It's Easy To Remember" and a new arrangement of "Swanee River".



Adolph Zukor presents

## BING CROSBY W.C. FIELDS JOAN BENNETT

## EXTRA!



Meet W. C. Fields as Commodore Jackson, Champion Callopie Player of the Seven Seas!



# "MISSISSIPPI"

with **QUEENIE SMITH • JOHN MILJAN • GAIL PATRICK**  
**FRED KOHLER • CLAUDE GILLINGWATER**

From the play by Booth Tarkington • A Paramount Picture • Directed by Edward Sutherland

## ROMANCE!



Thrill to the Melodic Hero of Dixie who wins the most luscious maiden in the Mint Julip belt!

## SENSATIONAL!

See the Ethiopian Quintuplets—Wonder of the World!



The Five Cabin Kids—Sun-tanned Singers of Novelty Melodies

## DANCING DYNAMITE!



"Alabama"—Syncopating Singer, Dancing Explosive, Belle of the Bayous!

## THE BATTLE OF THE CENTURY!

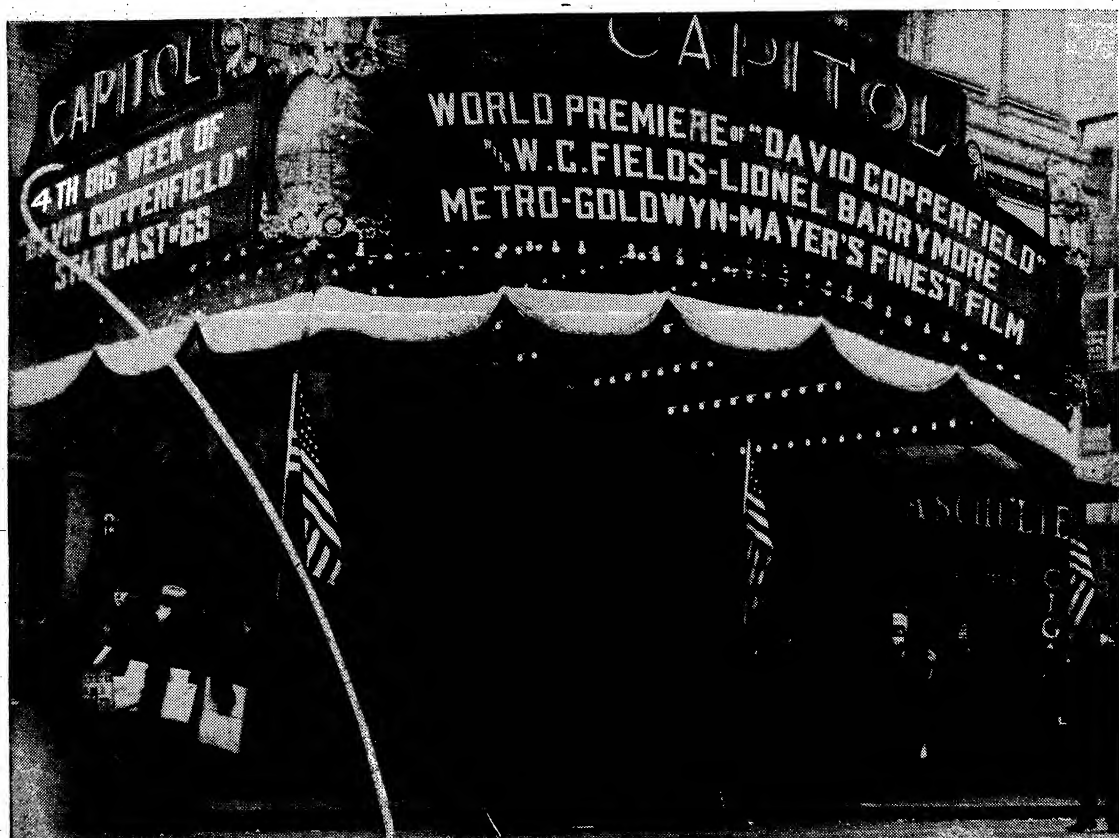
The Notorious Colonel Steele in the Battle of the Century with Dead Shot Cap'n Blackie, Unchained Alligator of the Dismal Swamp!

Music and Lyrics by Rodgers and Hart



## TORONTO MAYOR HALTS ALL SUNDAY BENEFITS

Zukor was accompanied west by George Schaefer, general manager in charge of distribution, and Russell Hinnman, eastern production unit. Trip was only for the purpose of talking over production plans, according to Zukor.



# HELP POLICE!

The 26<sup>th</sup> day

The sign now reads 5th WEEK! New all-time Capitol record. Hold everything—especially extra playing time!



## Stock Market

**TERRIFIC MONEYMAKER!**  
MOTION PICTURE DAILY

**SOCKO B.O. IN ALL SPOTS!**  
DAILY VARIETY

**A BOX-OFFICE GOLD MINE!**

THAT'S HOW THEY'RE ALL TALKING ABOUT

HOLLYWOOD REPORTER

**EDWARD G. ROBINSON**

IN

**THE WHOLE TOWN'S TALKING**

**COLUMBIA'S NEW SMASH HIT!**



**WORLD PREMIERE  
RADIO CITY MUSIC HALL**

**A JOHN FORD  
PRODUCTION**

*Screen play by Jo Swerling and Robert Riskin  
Based on a story by W. R. Burnett  
Directed by John Ford*

with **JEAN ARTHUR**

# CALENDAR OF CURRENT RELEASES

## Harold Auten

Offices: 1540 B'way, N. Y. C.

**Autumn Creses** (British). Charming film from Anthony play, with femme appeal. Dir. Basil Dean. 70 mins. Rel. Oct. 15. Rev. Nov. 6.  
**Blau-ven-Himmel, Des** (Ger.). Musical-romance. Martha Eggert. Dir. Victor Jaron. 70 mins. Rel. Sept. 1.  
**End of the World** (Fin). Scientific dream based on Flammarion novel. Dir. Abel Gance. 65 mins. Rel. April 15.  
**Er War Einmal Ein Walzer** (German). Musical romance with Lehar music. Martha Eggert. Dir. Victor Jaron. 80 mins. Rel. Oct. 1.  
**Loyelle** (British). Drama from the Galsworthy play. Dir. Basil Dean. 70 mins. Rel. Oct. 15. Rev. Oct. 30.

## Chesterfield

Offices: 1840 Broadway, New York, N. Y.

**Curtain Falls**. Old actress impersonates aunt of a wealthy family to make old age secure. Proves a good genius. Henrietta Croaman. Dir. Chas. Lamont. 67 mins. Rel. Oct. 1.  
**Fugitive Road**. An Austrian-Italian border story. Eric von Stroheim. Wera Engels, Leslie Fenton. Dir. Frank Strayer. 69 mins. Rel. July 1. Rev. Nov. 2.  
**Ghost Walks**. The mystery comedy. Cast, John Miljan, June Collyer. Dir. Frank Strayer. 67 mins. Rel. Dec. 1.  
**One in a Million**. Department store background for a love story. Chas. Starrett. Dorothy Wilson. Dir. Frank Strayer. 52 mins. Rel. Sept. 15.  
**Port of Lost Dreams**. Tragedy along the waterfront and on the tuna fisheries. Wm. Boyd, Lola Lane. Dir. Frank Strayer. Oct. 15.  
**She in the Dark**. A college romance. Robert Warwick. Robert Shilling. Dir. Charles Lamont. Rel. Feb. 15.  
**Sons of Steel**. A new deal drama of fathers and sons. Charles Starrett. Wm. Bakewell. Dir. Frank Strayer. 67 mins. Rel. Oct. 1.  
**Symphony of Living**. A drama of sacrifice against a background of symphonic music. Al Sheen, Evelyn Brent, Charles Judels. Dir. Frank Strayer. 68 mins. Rel. Oct. 1.  
**World Accusers**. The woman's fight against the world alone. Vivian Tobin, Russell Hopton, Dickie Moore. Dir. Charles Lamont. 60 mins. Rel. Nov. 1.

## Columbia

Offices: 729 Seventh Ave., New York, N. Y.

**Against the Law**. Gangster mixup with an ambulance crew. John Mack Brown, Sally Blane, Arthur Hohl. Dir. Lambert Hillyer. 61 mins. Rel. Oct. 25. Rev. Dec. 18.  
**Behind the Evidence**. Newspaper man smokes out a master mind. Norman Foster. Donald Cook, Sheila Mannors. Dir. Lambert Hillyer. 70 mins. Rel. Jan. 20. Rev. Feb. 5.  
**Best Man Wins**. The Edmund Lowe-Jack Holt-in-a-familiar-outline. Florence Rice as the girl. Basil Kenton. 75 mins. Rel. Oct. 15. Rev. Jan. 8.  
**Broadway Bill**. Race track story based on one of Mark Hellinger's yarns. Myrna Loy, Warner Baxter. Dir. Frank Capra. 90 mins. Rel. Dec. 8. Rev. Dec. 4.  
**Captain Hates the Sea**. The riotous nautical comedy of a mixed passenger list. Victor McLaglen, Wynne Gibson, Allan Skipworth, John Gilbert. Dir. Lewis Milestone. 80 mins. Rel. Oct. 25. Rev. Dec. 4.  
**Call to Arms**. Willard Mack, Sheila Mannors, Esther Ralston. Dir. Willard Mack. Rel. Jan. 12.  
**Carnival**. Criminal story of a man's search for a mother for his child. Lee Tracy, Sally Blane, Jimmy Durante. Dir. Walter Lang. Rel. Feb. 10.  
**Fugitive Lady**. Innocent girl, sentenced to prison, finds a haven and love. Neil Hamilton, Florence Rice. Dir. Al. Rogell. 65 mins. Rel. Oct. 25. Rev. Dec. 11.  
**Girl in Danger**. "Inspector Trent" story of a lost emerald. Ralph Bellamy, Shirley Grey. Dir. D. Ross Lederman. 61 mins. Rel. Oct. 25. Rev. Nov. 6.  
**He'll Fix It**. Political fixer discovers he can't fix love. Jack Holt, Mona Barrie, Wynne Lightner. Dir. Roy W. Neill. 67 mins. Rel. Oct. 13. Rev. Nov. 20.  
**Jealousy**. Jealous prize fighter has a vivid dream while taking the count. Nancy Carroll, George Murphy. Dir. Roy W. Neill. 68 mins. Rel. Nov. 13. Rev. Nov. 27.  
**Lady by Choice**. Fan dancer adopts a mother, who brings her happiness. Carole Lombard, May Robson, Roger Pryor. Dir. David Burton. 71 mins. Rel. Oct. 15. Rev. Nov. 20.  
**Law Beyond the Law**. Tim McCoy Western. Billie Seward. Dir. Ford Beebe. Rel. Feb. 15.  
**Lady Is Willing**. Investment victim kidnap banker's wife. She falls in love with her captor. Leslie Howard, Blanche Barnes. Dir. Gilbert Miller. 68 mins. Rel. Jan. 20. Rev. Jan. 25.  
**Man of the Night**. Romance of a detective. Bruce Cabot, Judith Allen. Dir. Henry French. 58 mins. Rel. Nov. 24. Rev. Dec. 4.  
**Mills of the Gods**. Inducement of May Robson, Fay Wray, Milla de la Torre. Dir. Roy W. Neill. 67 mins. Rel. Dec. 15. Rev. Jan. 22.  
**Nurse the Woman**. Politics and a girl reporter. Arline Juday, Richard Cromwell. Dir. Al. Rogell. 63 mins. Rel. Aug. 1. Rev. Dec. 4.  
**Late Live Tonight**. Tullio Carminati, Lillian Harvey, Tala Birel. Dir. Victor Schittling. Rel. Nov. 13.  
**One Night of Love**. Romance of an opera star. Grace Moore, Tullio Carminati, Lily Talbot. Dir. Victor Schittling. 64 mins. Rel. Sept. 1. Rev. Sept. 15.  
**Prescott Kid**. The McCoy western. Sheila Mannors. Dir. David Selman. 66 mins. Rel. Nov. 8.  
**Square Shooter**. Tim McCoy, Jacqueline Wells in a Western. Dir. David Selman. Rel. Jan. 12.  
**That's Gratitude**. Theatrical man gets he thanks in farcical romp. Frank Craven, Mary Carlisle. Dir. Frank Craven. 67 mins. Rel. Oct. 13. Rev. Nov. 6.  
**Westerner**. The Tim McCoy, Marion Shilling. Dir. David Selman. 67 mins. Rel. Dec. 10.  
**White Lies**. Rich society girl falls for the big, brave cop. Walter Connolly, Fay Wray. Dir. Roy W. Neill. 68 mins. Rel. Nov. 27. Rev. Jan. 1.  
**Whole Town's Talking**. The Robinson in a dual role as a killer and a pacifist who resembles him. Edw. G. Robinson, Jean Arthur. Dir. John Ford. Rel. Feb. 15.

## DuWorld

Offices: 729 Seventh Ave., New York, N. Y.

**Beast of Bernes**. Melodrama and animals. John Preston, Mary Stuart. 70 mins. Rel. July 15.  
**Blus-Light**. (Austrian and Italian). Mountain romance among Italian Dolomites. Directed and starring Leni Riefenstahl. Henrietta Croaman. 70 mins. Rel. March 1.  
**Bride of Games**. South Sea features. Dir. Phil Brown. 30 mins. Rel. March 1.  
**Crainquebelle** (Fr.). Drama from Anatole France yarn. Dir. Jacques de Baron. 60 mins. Rel. March 1.  
**Girl in the Case**. Comedy in the Continental manner. Jimmy Savo, Eddie Lambert, Dorothy Darling. Dir. Eugene Frenke. 60 mins. Rel. Oct. 1.  
**Hollywood City of Dreams** (Sp.). Joe Bohr. Poland's impression of the United States. 70 mins. Rel. Nov. 1.  
**Kochas, Lubi, Szanule** (Polish). Young love in Poland, with music. Dir. Michal Wyzanski. 70 mins. Rel. Nov. 1.  
**L'Agente des Algies** (Fr.). Pre-Napoleonic drama. Dir. Roger Richebe. 70 mins. Rel. Nov. 1.  
**Man Who Changed His Name** (British). An old Edgar Wallace yarn revived. Dir. Henry Edwards. 75 mins. Rel. Oct. 1. Rev. Oct. 24.  
**Norah**. O'Neale (British). Irish yarn. Dir. Desmond Hurst. 70 mins. Rel. Oct. 15. Rev. Feb. 30.  
**Romance in Budapest** (Hung.). Franchiska Gaal. Musical. 70 mins. Rel. April 15. Rev. May 15.  
**Tell Tale Heart** (British). Edgar Allan Poe thriller. Dir. Desmond Hurst. 60 mins. Rel. June 15. Rev. June 15.

## First Division

Offices: R.M.O. Bldg., New York, N. Y.

**Releases Also Allied, Chesterfield and Monogram**  
**Curtain Falls**. One-time famous actress uses her talents in an entirely novel role and plays one final comedy. Henrietta Croaman. 70 mins. Rel. Oct. 1.  
**Girl of the Timberbelt**. The famous Gene Stratton Porter classic. Marian Marsh, Ralph Morgan, Louise Dresser, Eddie Nugent. Dir. Charley Cabanne. 83 mins. Rel. Nov. 8.  
**My Dreams**. College life and college romance. Mary Carlisle, Eddie Nugent. Constance Chaney, Arthur Lake, Sterling Holloway, Gail Patrick. Dir. Ray McCarey. Rel. Nov. 17.  
**Happy Landings**. Story of the U. S. air border patrol. Ray Walker, Jacqueline Wells. 65 mins. Rel. Sept. 1.

These tabulations are compiled from information supplied by the various production companies, and checked up as soon as possible after release. Listing is given when releases dates are definitely set. Titles are retained for six months. Managers who receive service subsequent to that period should preserve a copy of the calendar for reference.

The running time as given here is presumably that of the projection room showings and can only approximate the actual release length in those states or communities where local or state censorship may result in deletions. Running time in the reviews as given in *Variety* carry the actual time clocked in the theatre after passage by the New York state censorship pictures are reviewed only in actual theatre showings.

While every effort is made to hold this list accurate, the information supplied may not always be correct, even though every effort is made to the fullest degree of accuracy. *Variety* will appreciate the co-operation of all managers who may note discrepancies.

## Studio Placements

Hollywood, Feb. 19.  
**Ray Knight**, directing 'Alibi' by W.D. **Ray Knight**, directing 'Alibi' by W.D.  
**Dick Powell**, 'Broadway Gondoliers', W.D.  
**Walter Brown**, directing 'Broadway Gondoliers', W.D.  
**Fred Parker**, Gene Morgan, Stanley Taylor, 'Hot News', Col.  
**Walter Brown**, directing 'Hay, Emerson Tracy', Top Kenton, 'St. Johns', 'Party Wire', Col.  
**John Rogers**, Sam Flint, Charles Morris, 'People Will Talk', Par.  
**Dorothea Walbert**, Harold Entwhistle, 'Paris in Spring', Par.  
**Robert Adams**, 'The Crusades', Par.  
**Fean Howard**, Susan Fleming, Gino Corrado, 'Break of Hearts', Radio.  
**Mona Barrie**, Gilbert Roland, Nick Foran, Herbert Mundin, 'Hardie Albritch', 'Secret Love', Fox.  
**Lucky Humbertson**, directing 'Secret Lives', Fox.  
**John Boles**, Alice Faye, 'Redheads on Parade', Fox.  
**Anthony Veiller**, screen play, 'Star of Midnight', Radio.  
**Clayton Kopp**, Charles Martin, Alvin Tamiroff, Jerry Miller, Fran Kohler, Jr., 'Paris in Spring', Par.  
**Alan Sheridan**, Joseph Swickard, 'The Crusades', Radio.  
**Walter Hall**, Emma Dunn, John Pecci, Theodore Lorch, Jean Fenwick, 'The Crusades', Par.  
**Philip Dunne**, Finley Peter Dunne, Jr., screen play, 'Magnificent Obsession', U.  
**George Buffington**, adaptation, 'Keep 'em Coming', Fox.  
**J. M. Kerrigan**, Walter James, Una O'Connor, 'The Informer', U.  
**John Davidson**, 'Behind the Green Lights', Mascot.  
**Sam Flint**, 'Four Hours to Kill', 'Vale Tale', Radio.  
**Maurice Hanline**, adaptation, 'Magnificent Obsession', U.  
**Wade Botzler**, John Hyams, 'Village Tale', Radio.  
**Eddie Buzell**, directing 'Fifi and the Five Bad Boys', Col.  
**Gene Markey**, screen play, 'Fifi and the Five Bad Boys', Col.  
**Lee-Pheips**, Sam Flint, Louis Nathanson, 'Vagabond Lady', Roach.  
**Herz**, screen play, 'Papa's in the Cradle', Radio.  
**Jean Arthur**, Victor Jory, 'Party Wire', Col.  
**Eric Denton**, directing 'Party Wire', Col.  
**Doris Lloyd**, 'Thunder in the Streets', Darnour.  
**Clifford Hale**, 'Ten Dollar Raise', Fox.  
**Philip Kline**, Robert Yost, screen play, 'Work at Art', Fox.  
**E. H. Griffith**, directing 'No More Ladies', Metro.  
**Leon Gordon**, screen play, 'Three Wise Fools', Metro.  
**Charles Logue**, dialoguing 'Hoosier Schoolmaster', Mono.  
**Conrad Nagel**, 'Order, Please', Metro.  
**Nick Foran**, Herbert Mundin, 'Secret Lives', Fox.  
**Jess Levorska**, 'Call of the Wild', 20th.  
**Mauds Eburne**, 'Party Wire', Col.  
**Karl Brown**, Louis Mosher, screen play, 'Tarzan Returns', Metro.  
**Charles Logue**, writing original for Chevalier, Metro.  
**James Horne**, directing 'Laurel and Hardy', Metro.  
**Frank Strayer**, directing, Lois

**Jane Eyre**. Screen adaptation of the Charlotte Bronte classic. Colla Clive, Virginia Bruce, Alleen Pringle. Dir. Charley Cabanne. Rel. Oct. 1.  
**King Kelly**. Dance director and his girl dancing troupe swap contracts on a prom. Dir. George Marshall. 70 mins. Rel. Nov. 15.  
**Robertson**. Irene Ware. Dir. Leonard Fields. Rel. Nov. 15.  
**One in a Million**. Romance of a department store employee and the boss' son. Dorothy Wilson, Charles Starrett. Dir. Frank Strayer. Rel. Nov. 15.  
**Part of the World**. A gun moll's past catches up with her after she has reformed and is happily married to a sea-faring. (Green) Boyd, George Marion, Edward Gargan.  
**Redhead**. Romance of a disowned playboy son and an artist's model with a past. Bruce Cabot, Grace Bradley, Burton Churchill, Eagle Tommy. Dir. Melville Brown. Rel. Nov. 30.

## First National

Offices: 821 W. 46th St., New York, N. Y.

**Babeless**. Jungle film made by the Martin Johnsons, partly from an airplane. 73 mins. Rel. Jan. 25. Rev. Jan. 25.  
**Bobbitt**. Upton Sinclair's 'Main Street'. Guy Kibbee, Althea McMahon. Dir. William Keighly. 75 mins. Rel. Dec. 8. Rev. Dec. 18.  
**British Agent**. Adapted from the novel about international spies. Leslie Howard, Kay Francis. Dir. Michael Curtiz. 75 mins. Rel. Sept. 15. Rev. Sept. 25.  
**Flirtation Walk**. West Point story. Ruby Keeler, Dick Powell, Pat O'Brien. Dir. Frank Borzage. 95 mins. Rel. Dec. 1. Rev. Dec. 4.  
**Gentlemen Are Born**. Four college boys battle the world. Franchot Tone, Wm. J. Cagney, Ann Dvorak, Margaret Lindsay. Dir. Alfred E. Green. 75 mins. Rel. Nov. 27. Rev. Nov. 27.  
**Happiness Ahead**. Window washer wins success. Dick Powell, Josephine Hutchinson. Dir. Marvin Leeway. 80 mins. Rel. Oct. 22. Rev. Oct. 16.  
**Let's Get Rich**. Comedy in a fake doctor's office. Pat O'Brien, Ann Dvorak, Claire Dodd, Roscoe Karns. Dir. Robt. Florey. 70 mins. Rel. Jan. 1.  
**Lost Girl**. Wally Catber's story. Barbara Stanwyck, Frank Morgan, Ricardo Cortez. Dir. Al. E. Green. 61 mins. Rel. Sept. 29. Rev. Oct. 9.  
**Maybe It's Love**. Gloria Stuart, Ross Alexander. Dir. Wm. McGinn. 62 mins. Rel. Feb. 12.  
**Murder in the Clouds**. John Talbot, Ann Dvorak. Dir. D. Ross Lederman. 61 mins. Rel. Dec. 15. Rev. Jan. 1.  
**North Shore**. Barbara Stanwyck, Gene Raymond. Dir. Robert Florey. Rel. Feb. 12.  
**Red Hot Fries**. Lily Talbot, Mary Astor. Dir. D. Ross Lederman. Rel. Feb. 2.  
**Six Day Bike Ride**. Thrills and spills in a bike race. Joe E. Brown. Dir. Lloyd Bacon. 69 mins. Rel. Oct. 20. Rev. Nov. 6.

## Fox

Offices: 444 West 66th St., New York, N. Y.

**Babeless**. Jungle film made by Martin Johnsons, partly from an airplane. 73 mins. Rel. Jan. 25. Rev. Jan. 25.  
**Bobbitt**. Upton Sinclair's 'Main Street'. Guy Kibbee, Althea McMahon. Dir. William Keighly. 75 mins. Rel. Dec. 8. Rev. Dec. 18.  
**British Agent**. Adapted from the novel about international spies. Leslie Howard, Kay Francis. Dir. Michael Curtiz. 75 mins. Rel. Sept. 15. Rev. Sept. 25.  
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**Red Hot Fries**. Lily Talbot, Mary Astor. Dir. D. Ross Lederman. Rel. Feb. 2.  
**Six Day Bike Ride**. Thrills and spills in a bike race. Joe E. Brown. Dir. Lloyd Bacon. 69 mins. Rel. Oct. 20. Rev. Nov. 6.

## Gaumont-British

Offices: 1600 Broadway, New York, N. Y.

**Chu Chin Chew**. Arabian tale in musical form. Anna May Wong, Fritz Kortner. Dir. Walter Forde. 95 mins. Rel. Sept. 15. Rev. Sept. 25.  
**Evening**. Musical adaptation from the American Nichols novel. Evelyn Laye, Fritz Kortner, Carl Esmond, Alice Delysia, Conchita Supervia. Dir. Victor Saville. Rel. Nov. 15. Rev. Nov. 20.  
**Evergreen**. Musical adaptation from Cochran's stage production. Jessie Matthews, Samie Zile, Betty Balfour, Barry Mackay. Dir. Victor Saville. Rel. Jan. 23. Rev. Jan. 15.  
**Ivan Duke**. The drama based on Duke of Wellington at Battle of Waterloo. George Arlino, 'Ellaline' Terrill, 'Gladys' Cooper. Dir. Victor Saville. Rel. Jan. 23. Rev. Jan. 15.  
**Jack Abby**. Comedy with song and dance. Jack Hübner, Nancy O'Neill, Alfred Drayton. Dir. Walter Forde. Rel. Dec. 8. Rev. Feb. 12.  
**Little Love**. A child's story. Conchita Supervia. Dir. Victor Saville. Rel. Oct. 15. Rev. Oct. 23.  
**Man of Aran**. Irish story with preponderantly photographic photography. Dir. Robert Flaherty. 70 mins. Rel. Oct. 15. Rev. Oct. 15.  
**Powers**. (New Series). Dramatization of Steven Feuchtwanger novel. Conrad Veidt, Benita Hume. Dir. Lothar Mendes. 105 mins. Rel. Oct. 1. Rev. Oct. 1.



# RECORD BREAKING SALLY RAND

## TRIBUTES!

Dear Miss Rand:—

I am very happy that you have consented to play a second week at the Fox theatre, in Brooklyn. This is the first time in the history of the theatre that any stage attraction has been held over, and the fact that you did this week certainly warranted the extension of your engagement.

It has also been a great source of satisfaction to me personally, that the audience reaction was so marvelous. All of our patrons left the theatre feeling that they had witnessed a performance which gave the utmost in satisfaction, both for its beauty and its entertainment value.

S. H. FABIAN,  
Fabian Theatres.

Miss Rand:—

It gives me a great deal of pleasure to advise you that we are taking up your option for four more weeks which makes a total of fifteen weeks for your Paradise Cabaret engagement.

This is the longest engagement in the history of the Paradise Cabaret and I am happy to say, the most successful for box office grosses that we have ever experienced. The audience reaction has been excellent for the beauty and artistry of your dance. It has pleased even the most critical patrons and we are happy to have had the privilege of presenting you.

NICHOLAS BLAIR,  
Managing Director,  
PARADISE CABARET,  
New York City.

September 4, 1934.

Dear Miss Rand:—

I am pleased to advise you that your Oriental theatre engagement for the past two weeks established new high records for the theatre under the present policy, and that under the present repeated your sensational success of last year. It was indeed gratifying that your return to Chicago this season, with your beautiful 'Bubble Dance,' drew your excellent comments from our audiences, and as well how completely delighted they were with the beauty and grace of your new dance.

LOUIS R. LIPSTONE,  
Balaban & Katz Corp.

**POLICE, CENSORS,  
WOMEN'S CLUBS,  
ENDORSE HER!**

"Sally Rand produced an artistic effect . . . the effect produced is beautiful . . . I think Miss Rand gives an interpretation of a dance equal to the grace of movement of the bird-like dances given by Ruth St. Denis. I feel that no one should be shocked and be led to offer unfavorable criticism . . ."

MRS. B. B. McDONALD'S,  
Women's Civic League,  
Indianapolis.

" . . . she made no vulgar motions with her body and I consider the entire performance very beautiful. Miss Rand is especially graceful and does her dance very artistically, and there is nothing in the entire program that would offend any one."

COSETTE C. OSBORN,  
Police Woman and Censor  
City of Indianapolis.

" . . . we witnessed the performance of Miss Sally Rand at the Stanley Theatre . . . there is nothing suggestive . . . the dance is purely artistic with no vulgarity."

JOHN J. CROUSE,  
WILLIAM H. O'BRYAN,  
Pittsburgh Police Censors.

**FLASH! HELD OVER FOR SECOND  
WEEK FOX, BROOKLYN, NOW!**

**NOW! 15th HOLDOVER WEEK TO NEW HIGH  
GROSSES AT PARADISE CABARET, NEW YORK**

21,000,000 People Jammed the Chicago World's Fair in 1933 to See Her Fan Dance . . . Twelve Weeks of All-Time High Records at the Chicago Theatre . . . 16,000,000 People Packed the World's Fair in 1934 to See Her Bubble Dance . . . Two Weeks at Oriental Theatre, Chicago, Breaking All Previous Box Office Records . . . And New Records in Theatres Everywhere.

WILLIAM MORRIS, Exclusive Booking Representative.  
DAVID A. LIPTON, Publicity Director

# Film Reviews

## Une Etoile Disparait

(Continued from page 15)

some of its old ones and bring 'em over. Far has been out of production over there for about three months. So Far brings these films over, goes to the expense of shipping 'em to the Coast for a Breen approval play, brings 'em back and shoots 'em out with a prayer. They don't even bother to stick on English titles to explain the dialog. Une Etoile is a murder mystery in a film studio. Story is rather ingenious and is capably enough handled from a European standpoint. Bob Wyler, who directed, is the brother of William Wyler. American megastar Orson Welles is in Hollywood. The acting is a bit corny. Suzy Vernon is the lead. A French girl who tries to look American. She's not consciously and carefully pretty. Constant Remy turns in a good performance. Most of the European stand-outers badly. A half-dozen or so French film stars walk in. One of the film stars, which probably helped abroad. They're not even billed for here.

## LITTLE MEN

Most production and release. Features Ralph Morgan, Dan Dwyer, and others. Directed by Paul Rogers. Producer, Ken Goss. Screenplay by Louis M. Alcott. Adaptation, George Orson. Music, Alex. P. Markey. Released by Paramount. A French girl who tries to look American. She's not consciously and carefully pretty. Constant Remy turns in a good performance. Most of the European stand-outers badly. A half-dozen or so French film stars walk in. One of the film stars, which probably helped abroad. They're not even billed for here.

Picture goes away overboard on pathos, purely passing up a chance during the cumbersome recital to take a hefty pull on the heartstrings and tear ducts. But despite the over-stressing of sweetness and light among the various characterizations and the lack of an occasional light touch, the film should only better than moderate business from among the family trade. It offers a troupe of youngsters whose acting should neatly turn the b.o. trick.

All concerned act to spirit, if not the script, of the Louise M. Alcott fab. Every character, with the exception of the boy villain in the piece, either conducts or tries to conduct himself as a paragon of virtue. The elders in the cast never give way to raspy tempers, but meet each disappointment with unflinching hope of redemption for the miscreant.

Tears flow over the most insignificant matters. No punches are pulled in showing the remorse that a child can suffer for the slightest of misdeeds. The only restraint revealed in this long parade of suffering is the director's attempt at the crimped boy's death. Also included is a choice bit of sadistic brutality, with Gustav von Seyffertitz as the torturer, but Frankie Darro on the receiving end. Later episode takes place in the school of correction to which the young Professor Blumstein of the picture had consigned the boy.

As the operators of the Plumfield School for Boys, Ralph Morgan

and Erin O'Brien-Moore are nicely cast, with the latter given a wealth of opportunity to exhibit sympathy and understanding. Of the smartly assembled group of juveniles Frankie Darro takes major jurisdiction. Others that register effective are Junior Durkin, Ted Alexander, and Buster Phelps and Tommy Bupp.

Hugo Rosenfeld has provided an exceptionally fine piece of scoring.

## TOPAZE

(FRENCH MADE)

Paramount (Jovette) production and release. Directed by Louis Gasnier. From the play by Marcel Pagnol. Cast includes Louis Jouvet, Pauley, Simone Helard, Marcel Vallee, Edwige Feuillere and others.

(In French)

Radio made this film in Hollywood a few years ago, but at the same time that Paramount was making it the original French. That was because, as the French say, Par had the rights to it, but not the French. It's one of the most beautiful stage plays ever made in France, and when the film was released there, three years ago, it was a huge success. It's a time high for film grosses in the French market.

It is pretty well played out now, having been seen in almost all available territory for some time. Now, coming into America, it can expect to do a little business in the French quarters, because of popularity of the story and author, but may not reach the heights of the original. It has caused the earlier Radio film to take the edge off it.

John Barrymore and Myrna Loy played it in English. In this version it's played by Louis Jouvet and Edwige Feuillere. Jouvet, who handles the part convincingly, is a Frenchman. It's more French, more authentic and less satisfactory from an audience standpoint, because less spectacular and less pointed. Miss Feuillere is not as pleasant to look at as Miss Loy, but handles her part convincingly.

Picture, a whole, if disassembled from the American version, is above standard for French films, although it is a little more than a minimum U. S. best it can hope for is a minimum share of a minor market.

Reform school stories date far back, and while the newest ones have been suggested by the success of 'Mädchen', this resolves itself into the old-fashioned type of a yarn without definite plan and made largely for the propaganda angle.

Chief value is the presence in the cast, many of them featuring, of a string of recognizable names. Smooth but rather tedious film, which will mildly interest, with a comfortable career of double billing indicated.

In default of plot there is too much dialog in defense of errant maidenhood. That makes for sluggish movement, but William Nigh has kept his fingers moving around, even if they do not accomplish much. Basic idea is that of a girl sent to reform school for a crime that she did not commit.

Attention of a young member of the visiting committee. He has her in his custody, and marries her. It's all rather out of line on plausibility, the girls running around the halls unguarded, etc. Sub-plot of the hostility between the head matron and her tender-hearted assistant. Climax is supposed to be the shooting of the matron by the underling, who tricks the gun into the radio so it will explode when the set is turned in.

Outstanding performance is that of Lucille LaVerne as the cruel boss. She gives it a fine note of authority. Sidney Fox serves from an occasionally written role and also from the more natural conduct of some of the other girls. Paul Kelly walks through his assignment. Lois Wilson and Anna Q. Nilsson handle the sympathy well.

## 'SWEET MUSIC' 'SEQUOIA' \$9,000-\$10,000 in K. C.

(Best exploitation: Midland)

Five first runs this week and all heavily boosted by national ads. 'Rumba' (Par) and 'Sequoia' (Midland) opened strongly. 'Sequoia' (Midland) opened strongly. 'Sequoia' (Midland) opened strongly. 'Sequoia' (Midland) opened strongly.

Mainstreet is showing 'Scarlet Pimpernel', which on account of its being a U.S. release, expected to show at the Midland, and will see a fair week. After three weeks of 'Scarlet Pimpernel' (Midland) is 'Evergreen'. Management gave this one a two weeks campaign of teas-ing, but did not disclose the name of the star until after the opening. It had the fans talking.

Midland used thousands of 24-page booklets, 'Educational Handbook for High School Students', in the school and library trade. Contest, included all expenses trips to Hollywood, and also placed town with 24 sheets.

Estimates for This Week

Mainstreet (RKO), (2,200; 15-25-40); 'Scarlet Pimpernel' (Midland), (2,200; 15-25-40); 'Sequoia' (Midland), (2,200; 15-25-40); 'Rumba' (Par), (2,200; 15-25-40).

Midland (Loew), (4,000; 15-25-40); 'Sequoia' (Midland), (4,000; 15-25-40); 'Rumba' (Par), (4,000; 15-25-40); 'Sequoia' (Midland), (4,000; 15-25-40).

Midland (Loew), (4,000; 15-25-40); 'Sequoia' (Midland), (4,000; 15-25-40); 'Rumba' (Par), (4,000; 15-25-40); 'Sequoia' (Midland), (4,000; 15-25-40).

## SEATTLE

(Continued from page 16)

Gentleman (U) dual, at 25c admish, only moderate \$1,750.

'Transatlantic Love' (G-Round) (UA) and 'Babes in Toyland' (MG) are on the same bill. 'Transatlantic Love' (G-Round) (UA) and 'Babes in Toyland' (MG) are on the same bill.

'Clive of India' (UA), Second week, same film, \$3,100, good.

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unusual condition to local nabe. Draw so heavy on opening that prob had to open up his second house (dark) nearby to take care of 'em.

Estimates for This Week

'Rumba' (Par) and 'Sequoia' (Midland) opened strongly. 'Sequoia' (Midland) opened strongly. 'Sequoia' (Midland) opened strongly. 'Sequoia' (Midland) opened strongly.

'Clive of India' (UA) and 'Best Man Wins' (Col). A last-half nose dive left only a mediocre \$7,500.

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## Duals and 'Clive' Cause Lincoln Talk, Film After \$3,200

Lincoln, Feb. 19. (Best Exploitation: Orpheum) It's mostly 'Clive of India' at the Stuart, this week. But 'Wings in the Dark', at the Lincoln, is rolling nicely in second place, and so close it may be to take the first. As for the straight pipe houses are concerned. The Orph, with the vaude the first and a dance contest the second, will pile up the most money. Current stage show is 'Folies Bessie'.

Biggest grab of local news is the tremor caused by the Kiva's announced policy of double features starting this week. House is owned by L. L. Dent who's embattled with the County enterprises here and has been intermingled with the first and second runs. Dual bills had been wiped up with exception of Cooper's 'Sally' second. Now it's 'Clive of India' at the first and 'Clive of India' at the second.

Orph's gaining all publicity attention this week. Daily showing the Gene LaVerne 'Hollywood' tango contest. Had the guy at a department store. Orph's also had a conducting special night at the village's swank hotel evenings. Orph's also had a special exhibition in dept. store window.

Estimates for This Week

'Clive of India' (UA), (1,000; 10-15-20); 'Wings in the Dark' (WB), (1,000; 10-15-20); 'Clive of India' (UA), (1,000; 10-15-20); 'Wings in the Dark' (WB), (1,000; 10-15-20).

'Clive of India' (UA), (1,000; 10-15-20); 'Wings in the Dark' (WB), (1,000; 10-15-20); 'Clive of India' (UA), (1,000; 10-15-20); 'Wings in the Dark' (WB), (1,000; 10-15-20).

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"THE RIGHT TO LIVE"  
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New York Premiere  
"Notorious Gentleman"  
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**"LITTLE MEN"**





**Fountain, The.** From the Chas. Morgan novel. Ann Harding, Brian Aherne, Paul Lukas. Dir. John Cromwell. 85 mins. Rel. Aug. 21. Rev. Sept. 5.

**Gay Divorcee, The.** When Mimi tries to hire a gigolo she mistakes Guy Holden for the applicant and although they fall in love with each other she will not consider him until the confusion is cleared up. Ginger Rogers, Fred Astaire, Alice Brady, Edward Everett Horton, Erik Rhodes, Eric Blom. Dir. Mark Sandrich. 107 mins. Rel. Oct. 19. Rev. Nov. 20.

**Gigolette.** A society beauty who loses all her money and becomes a hostess in a night club. Adrienne Ames, Ralph Bellamy, Donald Cook, Robert Armstrong. Dir. Charles Brabin. Rel. Feb. 13. Rev. Jan. 25.

**Grand Old Girl.** Glorifying the American school teacher. May Robson, Mary Carlisle, Fred MacMurray, Alan Hale. Dir. by John Robertson. Rel. Jan. 18. Rev. 25.

**Gridiron Frenzy.** An habitual criminal becomes a football hero at a large university and proves that the essential fundamentals of good are basically present in everybody. Eddie Quillan, Betty Furness, Grant Mitchell, Edgar Kennedy, Guy Climo. Dir. John Ford. Rel. Oct. 25. Rev. Jan. 25.

**His Greatest Gamble.** A father, in prison for murder, escapes in order to save his daughter from her domineering mother. Richard Dix, Dorothy Wilson. Dir. John Robertson. 78 mins. Rel. Aug. 8. Rev. July 24.

**Kentucky Kernels.** A pair of out-of-work vaudevillians adopt a small boy who turns out to be heir to a large Kentucky estate which is involved in a feud with a neighboring estate. Bert Wheeler, Robert Woolsey, Mary Carlisle, Elyse Duggan, Neph Beery. Dir. George Stevens. 75 mins. Rel. Nov. 2. Rev. Jan. 8.

**Lightning Strikes Twice.** A fast-moving farce which concerns itself with an amusing story of a young man who brings a fan dancer home by mistake. Ben Lyon, Thelma Todd, Pert Kelton, Laura Hope Crews, Skeets Gallagher, Chick Chandler, Walter Catlett. Dir. Ben Hurst. 78 mins. Rel. Aug. 8. Rev. July 24.

**Little Minister, The.** The romance of a young Scotch minister and a spy-guy, who really is the ward of a nobleman of the district. Katherine Hepburn, John Basil, Alan Hale. Dir. Richard Wallace. Rel. Dec. 28. Rev. Jan. 1.

**Murder on a Honeymoon.** The further adventures of the old maid, amateur detective, school teacher, Miss Hildagar. Withers and Inspector. Police Officer Fay. Charles MacDonald. Dir. Stephen Roberts. 77 mins. Rel. Jan. 11. Rev. Jan. 22.

**Silver Streak, The.** A fast-action melodrama in which the famous streamlined train of the Burlington Railroad plays the star part. Sally Blane, Charles Starrett, William Farnum. Dir. Thomas A. Allen. 74 mins. Rel. Dec. 21. Rev. Jan. 22.

**Wednesday's Child.** The effect of divorce upon children. Edward Arnold, Karen Morley, Patricia Thomas. Dir. John Robertson. 63 mins. Rel. Oct. 26. Rev. Dec. 18.

**West of the Pecos.** The locale is the Pecos county in New Mexico. A young girl, disguised as a boy, regenerates an outlaw and wins his happiness. Richard Dix, Margaret, Samuel Hinds, Fred Kohler. Dir. Phil Rosen. 66 mins. Rel. Jan. 4. Rev. Jan. 1.

**Woman in the Dark.** A fast-paced melodrama about a paroled convict who is involved in a murder. Richard Dix, Margaret, Samuel Hinds, Fred Kohler. Dir. Phil Rosen. 66 mins. Rel. Jan. 4. Rev. Jan. 1.

**United Artists** Offices: 720 Seventh Ave., New York, N. Y.

**Affairs of Cellini, The.** The love life of Benvenuto Cellini. Fredric March, Constance Bennett, Frank Morgan, Fay Wray. Dir. Gregory La Cava. Rel. Aug. 26. Rev. Sept. 11.

**Clive of India.** The story of Clive, who founded a new British dominion—India. Ronald Colman, Loretta Young, Francis Lister, Dir. Richard Soldwed. 62 mins. Rel. Jan. 25. Rev. 25.

**Count of Monte Cristo.** The famous Dumas' classic about the man who found a fabulous fortune and used it to revenge a great wrong. Robert Donat, Eileen Land, Louis Calhern, Sidney Blackmer, Dir. Rowland V. Lee. Rel. Dec. 28. Rev. Nov. 13.

**Kid Millions.** Musical spectacle in the U.S. and Egypt. Eddie Cantor, Ethel Merman. Dir. Roy Del Ruth. 90 mins. Rel. Dec. 28. Rev. Nov. 13.

**Last Gentleman, The.** Shrewd and slyly millionaire cleverly solves the plans of his gang to kidnap a young lady. Robert Arden, Barbara Arden, Fay Oliver, Janet Beecher and Ralph Morgan. Dir. Sidney Lanfield. Rel. Sept. 21.

**Mighty Barnum, The.** Fictional story of P. T. Barnum. Wallace Beery, Adolphe Menjou, Virginia Bruce. Dir. Walter Lang. 87 mins. Rel. Dec. 25. Rev. Dec. 18.

**Jur Daily Bread.** Disinherited folks from all walks of life begin all over on an abandoned farm. Karen Morley, Tom Keene, and Barbara Pepper. Produced and directed by King. Rel. Sept. 8. Rev. Oct. 4.

**Scarlet Pimpernel.** The story of the French Revolution. A romantic drama, but modern handling. Leslie Howard, Merle Oberon. Dir. Alex. Korda. 85 mins. Rel. Feb. 15. Rev. Feb. 15.

**Transatlantic Merry-Go-Round.** The waves "Music in the air" murder in the next. A gambler, an heiress, a comedian and a detective accused of a crime that rocked the whole ocean. Jack Benny, Gene Raymond, Charles Starrett, Sidney Blackmer, Dir. Benjamin Sokoff. 88 mins. Rel. Nov. 2. Rev. Nov. 6.

**Private Life of Don Juan.** Don Juan discovers that, deprived of his name and reputation, he is a nobody. Douglas Fairbanks, Merle Oberon, Benita Hume. Dir. Alex. Korda. 92 mins. Rel. Nov. 20. Rev. Oct. 19 and Dec. 18.

**Runaway Queen.** A merry musical of revolution and romance. Anne Nagle and Fernand Gravy. Dir. Herbert Wilcox. Rel. Dec. 21.

**We Live Again.** A vivid new version of Tolstoy's immortal "Resurrection." Anna Sten, Frederic March, Jane Baxter, C. Aubrey Smith. Dir. Rouben Mamoulian. 85 mins. Rel. Dec. 28. Rev. Nov. 13.

**Universal** Offices: 30 Rockefeller Center, New York, N. Y.

**Cheating Cheaters.** From Max Marlin's stage play. Fay Wray, Cesar Romero, Minna Gombell. Dir. Rich. Thorpe. 67 mins. Rel. Nov. 5. Rev. Dec. 11.

**Gift of Gab.** Comedy-drama-musical. Edmund Lowe, G. Stuart and his radio and screen cast. Carl Freund. 70 mins. Rel. Sept. 3. Rev. Oct. 2.

**Good Fairy, The.** From Ferenc Molnar's stage play. Margaret Sullivan, Herbert Marshall, Frank Morgan. Dir. Wm. Wyler. 98 mins. Rel. Feb. 18. Rev. Feb. 5.

**Great Expectations.** Drama. Henry Hull, Jane Wyatt. Dir. Stuart Walker. Rel. Oct. 2.

**Human Side, The.** Drama. Adolphe Menjou, Doris Kenyon. Dir. Eddie Busz. 66 mins. Rel. Aug. 27. Rev. Sept. 13.

**It Happened in Rome.** A story longer than the next fellow. Douglas Fairbanks, Jr., Alan Crosland. Rel. Mar. 11.

**I've Been Around.** Comedy drama. Chester Morris, Rochelle Hudson. Isabelle Jewell. Dir. Phil Cahn. Rel. Dec. 21.

**Imitation of Life.** Drama. Gladys Covert, Warren William. Dir. John Stohl. 116 mins. Rel. Oct. 23. Rev. Nov. 27.

**Man Who Reclaimed His Head, The.** From Jean Bart's stage play of French life. Claude Rains, Guy Bennett, Lionel Atwill. Dir. Edw. Ludwig. Rel. Dec. 24. Rev. Jan. 15.

**Million Dollar Ransom.** Comedy-drama. Edward Arnold, Mary Carlisle. Dir. Murray Roth. Rel. Sept. 10.

**Mystery of Edwin Drood, The.** From the Dickens story. Claude Rains, Douglas Montgomery, Heather Angel. Dir. Stuart Walker. Rel. Feb. 4.

**Night Life of the Gods.** From Thorne Smith's fantastic tale. Alan Mowbray, Florine McKinney. Dir. Lowell Sherman. Rel. Mar. 1.

**Nervous Gentlemen.** A mystery-murder. Charles Bickford, Helen Vinson. Rel. Ed. Laemmle. Rel. Jan. 21.

**One Exciting Adventure.** Comedy-drama. Binnie Barnes, Neil Hamilton. Dir. El. L. Frank. Rel. Dec. 21.

**Princess O'Hara.** Damon Runyon comedy. Chester Morris, Jean Parker. Dir. David Burton. Rel. Mar. 5.

**Rendezvous at Midnight.** Murder-mystery. Ralph Bellamy, Valerie Hobson. Dir. Christy Cullen. Rel. Dec. 21.

**Rocky Rhodes.** Western. Buck Jones. Dir. Al. Raboch. 60 mins. Rel. Sept. 24. Rev. Jan. 1.

**Romance in the Rain.** Comedy-drama of a slum Cinderella. Roger Pryor, Victor Moore and Heather Angel. Dir. Stuart Walker. Aug. 15. 75 mins. Rev. Sept. 11.

**Secret of the Chateau.** Mystery story. Claire Dodd, Clark Williams. Dir. Rich. Thorpe. 65 mins. Rel. Dec. 28. Rev. Feb. 4.

**Strange Wives.** Comedy drama. Roger Pryor, June Clayworth. Dir. Rich. Thorpe. 75 mins. Rel. Dec. 10. Rev. Feb. 5.

**Straight from the Heart.** Baby Jane, Mary Astor, Roger Pryor. Dir. Kurt Neumann. Rel. Jan. 14.

**There's Always Tomorrow.** Drama. Frank Morgan, Lois Wilson. Dir. Ed. Slovic. 76 mins. Rel. Sept. 17. Rev. Nov. 13.

**Transient Lady.** Politics, romance and mystery. Henry Hull, Gene Raymond, Frances Drake. Dir. Ed. Busz. Rel. Feb. 22.

**Wake Up and Dream.** Musical. Russ Columbo, Roger Pryor. June Knight. Dir. Kurt Neumann. Rel. Oct. 1. Rev. Oct. 15.

**When a Man Bes Reck.** Buck Jones western. Dir. Alan Jones. 60 mins. Rel. Nov. 12. Rev. Jan. 27.

**Warner Brothers** Offices: 521 W. 44th St., New York, N. Y.

**Big Hearted Harbert.** From the stage farce. Old-fashioned father takes a liking from his modern family. Guy Kibbee, Alana McMahon, Patricia Ellis. Rel. Dec. 25. Rev. Nov. 20.

**Bordertown.** Life of an ambitious and magnetic foreign youth in his battle to fit himself into American conditions. Paul Muni, Bette Davis. Dir. Archie Mayo. Rel. Jan. 1. Rev. Jan. 15.

**Case of the Curious Bride.** Warren William, Phillip Reed, Margaret Lindsay. Dir. Michael Curtiz. Rel. Mar. 30.

**Case of the Howling Dog, The.** Introducing a new film sleuth. Warren William, Mary Astor. Dir. Alan Crosland. 75 mins. Rel. Sept. 22. Rev. Oct. 23.

**Desirable.** Mother and daughter in a battle for love. Jean Mull, Geo. Brent, Verree Teasdale. Dir. Archie Mayo. 68 mins. Rel. Sept. 22. Rev. Sept. 13.

**Devil Dogs of the Air.** Roiling comedy drama romance of the aviation corps of the U. S. Marines. James Cagney, Pat O'Brien. Dir. Lloyd Bacon. 80 mins. Rel. Feb. 2. Rev. Feb. 12.

**Firebird.** Murder mystery in Austria. Verree Teasdale, Ricardo Cortez. Dir. Wm. Dieterle. 75 mins. Rel. Nov. 3. Rev. Nov. 20.

**Gold Diggers of 1935.** Dick Powell, Adolphe Menjou, Gloria Stuart, Alice Brady. Dir. Busby Berkeley. Rel. Mar. 16.

**Kansas City Princess.** Two mid-west manicurist on a jamboree. Joan Blondell, Charles Mack, Hugh Herbert. Dir. Wm. Keighly. 64 mins. Rel. Oct. 13. Rev. Nov. 6.

**King of the Ritz.** Wm. Morgan, Patricia Ellis. Dir. Wm. H. McCann. Rel. Mar. 30.

**I Am a Thief.** Mystery and murder in a diamond theft. Mary Astor, Ricardo Cortez. Dir. Robert Florey. Rel. Nov. 24. Rev. Jan. 8.

**Living on Velvet.** Love of a beautiful society girl for a half mad and totally irresponsible man. Kay Francis, Warren William, George Brent. Dir. Frank Borzage. Rel. Mar. 2.

**Madame Du Barry.** Drama of the lady who made history at and take her revenge. Dolores Costello, Douglas Fairbanks, Verree Teasdale, Victor Jory, Dorothy Tree, Helen Lowell. Dir. William Dieterle. Rel. Oct. 13. Rev. Oct. 30.

**Red Hot Tires.** Dynamic race of auto race tracks. Lyle Talbot, Mary Astor. Dir. R. Ross Lederman. 61 mins. Rel. Feb. 2.

**Right to Live, The.** Romance in which two brothers love the same woman and one ends his life so that his wife can find happiness with the other. Wm. Keighly, Ray. Jan. 28.

**Secret Bride, The.** Thrilling drama of political intrigue which results in two deaths. Barbara Stanwyck, Barbara Stanwyck, Warren William. Dir. Wm. Dieterle. 64 mins. Rel. Dec. 22. Rev. Feb. 5.

**St. Louis Kid, The.** James Cagney, Patricia Ellis. Dir. Ray Enright. 65 mins. Rel. Nov. 13. Rev. Nov. 20.

**Sweet Adeline.** From the stage opera. Irene Dunne. Dir. Merwyn LeRoy. 87 mins. Rel. Dec. 29. Rev. Jan. 8.

**Sweet Music.** Rudy Vallee, Ann Dvorak. Dir. Alfred E. Green. Rel. Feb. 22.

**White Cockade.** Detective play. Jean Murry, Ricardo Cortez. Dir. Alan Crosland. 72 mins. Rel. Jan. 19. Rev. Jan. 15.

**While the Patient Slept.** Alana McMahon, Guy Kibbee. Dir. Ray Enright. Rel. Mar. 9.

**Woman in the Dark.** Young wife faces scandal to save a man from conviction of murder. Barbara Stanwyck, Gene Raymond, Genevieve Tobin. Dir. Robt. Florey. Rel. Feb. 15.

**Miscellaneous Releases**

**Are We Civilized? (Raspin).** Propaganda for peace. Dir. Edwin Carewe. 70 mins. Rel. June. Rev. June 19.

**Battle, The (Gargant).** French-made story of a Jap naval officer who saves his country. Charles Boyer, Merle Oberon. Dir. Nicholas Frankas. 85 mins. Rel. Nov. 30. Rev. Nov. 27.

**Blue Steel.** (Blue Star). John Wayne Western. Dir. R. N. Sradbury. 64 mins. Rel. Nov. 13. Rev. Nov. 20.

**Cross Streets (Invincible).** Story of a down and out surgeon who performs a skilled operation. Frank Craven, Sally Blane. Dir. Wm. Nigh. Rev. July 10.

**Dancing Man, Gigolette story.** Reginald Denny, Judith Allen. Dir. Al. Ray. 64 mins. Rel. July. Rev. July 24.

**Dealers in Death (Topical Film).** Arrangement of munition makers. Mostly news. Rel. Dec. 18.

**Fighting Trooper, The.** Canadian police story. Kermit Maynard, Barbara Wink. Dir. Ray Taylor. 63 mins. Rev. Jan. 4.

**Hel Tiki (Markey).** Samoan nature story. 73 mins. Rev. Feb. 5.

**Holly Green (Greeney).** Story of a temperamental director and a racketeer. June Clyde, Frank Albertson. Dir. Brezzy Eason. 53 mins. Rev. Jan. 22.

**I Can't Stand (Syndicate).** Ex-convict goes straight. Onslow Stevens. Lila Lee. Dir. Otto Brower. 59 mins. Rel. Sept. 3.

**Inside Information.** (Stage and Screen). Detective reporter and a dog—Reese Marion Schilling. Dir. Robt. E. Hill. 38 mins. Rel. Jan. 8.

**Nim (Omni Film Co.).** Western. Bob Russell. Dir. Law Collins. 60 mins. Rel. Oct. 2.

**Marrying Widows (Tower).** Young widow gets her wish. Judith Allen, John C. Campbell, John Mack Brown. Dir. Sam Newhall. 67 mins. Rel. Sept. 5.

**Ticket to Paris (Eucon).** Comedy detective story. Ralph Graves. Lois Wilson. Rel. Dec. 11.

**War is a Racket (Reacock).** Paste up of newreel clips with some new material. Rel. Dec. 11.

**Young and Beautiful (Mascon).** Studio story with the Wampa's baby stars. Wm. Nigh. Judith Allen. 64 mins. Rel. Sept. 2. Rev. Sept. 25.

**Theatre Wins Verdict**

**In Kid's Injury Suit**

Stroudsburg, Pa. Feb. 19.

Harry A. and Fred Scheurman, trading as H. A. Scheurman and Son, of the Sherman theatre, were granted a compulsory non-suit in a case involving the theatre and the parents of a patron.

At a special morning showing in May, 1932, the plaintiff an 11-year-old girl, now deceased, reached for a door handle, missed it and plunged her hand and arm through a pane of glass in a lobby door. Suit alleged that the child suffered not only deep wounds and great loss of blood, but the shock resulted in a severe case of St. Vitus dance. Later she developed pneumonia, which aggravated the other illness, and although she recovered, her condition was such that she again developed pneumonia and died. Plaintiff sued to recover damages from the Sherman theatre.

The judge, on a motion by the attorney for the defendant, granted a compulsory non-suit on the grounds that the plaintiff failed to prove any neglect on the part of the defendant.

**Rush Cal. Beach Season,**

**Open Theatre This Month**

Los Angeles, Feb. 19.

Fox West Coast will try out an experiment of opening its Hermosa theatre at Hermosa Beach, near resort, two months ahead of schedule this year.

The Chamber of Commerce and other civic organizations of the beach town, which is staging a drive for early trade, George Rowser, circuit district manager, is unshuttering the theatre, Feb. 22.

House, which ordinarily does not start its summer season until around April 15, will again be managed by Bol Sprowl, president of the Hermosa Junior Chamber of Commerce.

**EMBASSY, S. F., SHIFTS**

San Francisco, Feb. 19.

Fox-West Coast and Gore Bros. relinquished lease of the Embassy theatre here to Baldwin Investment Co., which in turn gave five-year lease to Herman L. Cohen, operator of the United Artist theatres at the corner of Market and Broadway.

House has been closed since Dec. 8.

**Duals Survive Efforts to End 'Em in So. Cal.**

Los Angeles, Feb. 19.

Repeated efforts to wipe out double bills in Southern California have been fruitless, according to latest figures. Of 383 operating theatres in this territory, more than 350 are still playing duals.

In Los Angeles there are only six houses observing the single picture policy, and five of these are de-luxes—Paramount, Loew's, RKO, Hillstreet, Warners-Hollywood and Chinese. A mixed policy, with two features one week and a single the next, has been adopted by 10 Los Angeles houses.

**Publix Stops 2**

**St. Paul Indies**

**On Bank Nights**

Minneapolis, Feb. 19.

Public Circuit has obtained orders from the local grievance board compelling the Strand and Garrick, St. Paul loop independent houses, to cease and desist holding "bank nights."

Hearings on similar Public cases, charging three Minneapolis independent neighborhood and suburban houses with code violation by unfair "bank night" competition, were postponed two weeks because of respondent's inability to appear.

W. A. Steffen, president of Northwest Allied States, and S. P. Halpern, theatrical attorney, represented the St. Paul Strand and Garrick. Hearings included some hot verbal exchanges.

**L. A. Exhibs East to Set**

**Skouras Operation Deal**

Los Angeles, Feb. 19.

Mike Rosenberg and Sherrill Cohen pulled out last night on the Chief for New York, where they go into a huddle with Spyros and Charles Skouras on future operation policies in the Los Angeles downtown theatre pool, in which the Skourases are interested.

Houses involved are those of Principal Theatres, of which Rosenberg is operating head; the Orpheum and Rialto, operated by Sherrill Cohen; the El Comodoro and the Roxie, a Gus Metzger venture. Cohen will cost vaude talent while on Broadway, for possible import to the Orpheum, and also expects to put in some time in Chicago on his way back on similar business.

**Pa. Exhibs Ready**

**For Tax Battle**

Philadelphia, Feb. 19.

Under the direction of Leven Pizer, president, the MPTO of Pennsylvania are planning their campaign against the proposed 10% state tax on amusements. A legislative committee includes M. E. Comerford, Michael Egnat, Herbert Coane, George P. Aarons and Herb Effinger.

Gasoline, tobacco and amusements are three items mentioned for taxation by the newly-elected Democratic state administration.

**WB-RKO Tiff**

Syracuse, N. Y., Feb. 19.

Continued RKO tenancy of the Strand, sub-leased from Warners in connection with a product deal, was reported hanging in the balance today (Tuesday) as a result of a score of differences irritating both parties.

Warners dissatisfaction found expression last week when the print of "Woman in Red," underlined for the Paramount, also under RKO contracts, was received with a C.O.D. for \$1,100.

House refused the print, and then a Warner picture, scheduled for the Strand, was scratched by RKO.

# BOTH SIDES AGREE THERE MUST BE A SHOWDOWN ON RADIO-NEWS QUESTION

**Got to Come, and Soon, Is Belief—A.P.'s Flemington Boner Aggravated Matters—Report Publishers in Get-Together Shortly**

Some sort of a showdown between the newspapers and radio on the disturbing question of news-broadcasting must come soon. This seems to be the growing conviction of radio itself. And the publishers appear to have the same idea.

NBC initiated a compromise peace with the press, but this has never been ratified by scores of important radio stations which refuse to the their independence on the subject. Columbia joined the official peace pact after pioneering the aggressive gathering of news, but in event of a rupture of the status quo is believed ready to re-establish its news organization.

Publishers look upon radio pre-empting of news as a challenge to the very life of the industry. The radio is almost a minor consideration compared to the menace of news-grabbing by stations. "Dozens of stations are constantly being closed in various communities on important happenings, although in other towns the press-radio agreement has been observed and a more congenial relationship established."

Friction between radio and publishers was dramatized last week when the A. P. blundered on the Hauptmann verdict. Stations broadcasting the A. P. boner and forced to carry an apology later were vastly liked when opposition stations subscribing to the freelance Trans-Radio service chortled gleefully about having the correct verdict.

This incident may represent nothing more than bad luck for A. P. and good luck for Trans-Radio. But its force as an argument for station action could not be discounted by any explanation of crossed signals. Some radio observers claimed that the clocking of the A. P. flash did not confirm the official explanation that was intended for the New York Daily News had gotten balled up. That would be plausible, the radioists argued, if the A. P. flash had not come through before the jury apparently had left the deliberation chamber.

Under the publisher-dominated press-radio dissemination method developments all through the Hauptmann case have led to by telephone New York for the A. P. to fore sending to the stations. Under this system of delay it was simple enough for Trans-Radio to get the jump on clearance radio circles in New York mention magazine and newspaper publishers as joining another general marshalling of the enemies of broadcasting in Washington. That's nebulous but foreboding.

In anticipation of a possible blow-up of the Press-Radio pact Columbia has inserted a reversion clause in its contracts with clients who buy the 10-minute spots following the periodic news bulletin broadcasts. Clause provides that in the event these five-minute news periods are abolished the account will either buy the full quarter hour segment or accept cancellation of the contract.

NBC, which initiated the agreement with the newspaper publishers and press association, has not taken similar action with regard to these 10-minute accounts. It has four customers of this classification on its books, two on the blue (WJZ) and one on the red (WEAF) dailies and one on the latter link Sunday mornings.

## Jimmy Alox Of NBC

Jimmy Alox, brought in last November to handle the registration of talent not under regular contract to the web, leaves the NBC Artists Service (page 28). Alox, who will not be filled, was formerly an RKO booker.

Harold Kemp, currently on the west coast, will return to his post of band department manager in the home office after he has established a Hollywood branch and put a man in charge.

## KNX's Latest Newser

Hollywood, Feb. 19. KNX is adding another 15-min. schedule to its news broadcasting in order to satisfy listeners in Hawaii, Alaska, and the Pacific Islands who are from two to three hours behind Los Angeles in time. New bulletin is from 11:30 to 11:45 p.m. Period will be a rewrite of the nine o'clock edition plus late flashes.

## Col. Arnold to Head Fed'l Examiners' Div.

Washington, Feb. 19. Col. Davis G. Arnold, of Rhode Island, was selected last week to head the Federal Communications Commission examiners' division. Col. Arnold has practiced law throughout the country and served in Mexico and France from 1916 to 1919.

## Storer Pays Cabooch

Tony Cabooch has settled his continuing differences with George B. Storer. When the American Broadcasting System pulled out of WCMC, New York, Cabooch filed with Storer a claim for seven weeks' salary, which the dialectician said was due him in lieu of the period that his contract had to go. Original term was for 26 weeks. Cash settlement was effected with Storer by Cabooch's manager, Jack Lavin.

# Broadcasting of News Radio's Biggest Headache on Coast

Hollywood, Feb. 19. Radio stations which include news broadcasting in their schedules are slowly building up a "must not" list, embracing the types of news that should not go over the ether.

List has been growing as a result of headaches that follow the broadcasting of a particular piece of news that is controversial. It appears that radio listeners are more susceptible to picking fights over such types of news than newspaper readers.

Plus this is a list of material that doesn't get the listeners fighting mad, but nevertheless has been clogging the station's telephones for more information. This is the type of news which causes listeners to see a new job for themselves in some item broadcast. Then there is the host of would-be good samaritans, who, upon learning from their radio that someone is suffering from a strange malady, will call up the station with a remedy.

Recently KNX had a 25-word item on its news broadcast that resulted in an avalanche of letters and many telephone calls. Item was about the difficulty the probate court had in Philadelphia settling the estate of Jacob Baker, who died extremely wealthy and without apparent heirs.

Station figures that every one by the name of Baker in the west either wrote or telephoned the station for more information, all of them figuring they were entitled to some of the windfall. Station has listed such items heretofore as verboten.

Another item that a certain woman had blathered constantly for 21 days brought an equal quota of trouble for the station from persons calling up with home remedies through which the woman could be relieved.

## Can't Rib Huey

Although newspapers can rib Huey Long by calling him the

## A. P. RILES THE SOUTH

Hauptmann Muff Prime Topic in Dixie.

Birmingham, Feb. 19. That false verdict of the Associated Press caused quite a stir in radio and newspaper circles down here. WBRC barely missed blurring the wrong report but before the announcer could read it, one of the telegraph companies flashed the correct verdict to the station. WBRC in Columbia WSGN, through Trans-Radio had the correct dope.

Local sheets did not extra on the wrong report. Early edition of the morning "Age-Herald" had just been wheeled out to the streets. Correction was made before the next edition went to bed.

James G. Stahlman, publisher of the Nashville, Tenn., "Banner" bled because of the fake report. He sent a wire to Kent Cooper, general manager of A.P., pointing out the erroneous bulletin on Hauptmann verdict put out by AP was bad enough and inexcusable in itself but to have waited 11 minutes to kill the error is indefensible. It caused untold confusion, premature and erroneous extras and otherwise made newspapers the public laughing stock. There's nothing comparable to it since the premature armistice story of "Painted memory."

"Banner" next day in a two column story on page one ran the story of AP's excuse, which was put on the wire from the "Banner" to follow James G. Stahlman's telegram. The entire layout was slugged: "AP has flimsy alibi for boner on Hauptmann verdict." Practically every paper carried AP's explanation.

Ken Boucher heading Free & Sleininger's San Francisco office, has moved into new quarters in the Russ Building on the coast.

Hollywood, Feb. 19. Kingfish, stations out here dare not take that chance. A couple of factors make it so. Long brought out the fact that a big percentage of the population out here regard Huey as a champion, and resent any satirical harpoons thrown in his direction. Floods of denunciatory letters to stations now have the broadcasters referring at all times to the firebrand as Senator Huey Long whenever there's occasion to bring his name and all news about him now is strictly on the level.

Stations also have eliminated from their news broadcasts seemingly insignificant items from Washington, such as "Postmaster General Farley okay examinations for 120 new postmasters." This particular piece of information tied up a station for several hours, by the hundreds of telephone calls from would-be postmasters who wanted more information.

Another headache for news-broadcasters are items that have to do with local banks. No matter what the bank news is about, it is sure to start a rumor that this or that bank is shaky, radio men say. Broadcasters are now particular about the wording of any bank item with one station having a rule that in its bulletins the name of the bank must be read twice.

Stations also have a "must not" on flashes that tell of the finding of an unidentified body, unless there is something about the case to give it particular importance. Such broadcasting of insignificant items, it has been found, always brings a barrage of calls asking for more information from parents who believe their kids might be that of a missing kid.

Later type of news brought out the pathetic fact from telephone calls that three different women in Los Angeles listen to every broadcast hoping to get information of their sons, all of whom disappeared from home years ago.

## Radio Taxis' Scoop

Special editions of the tabloids were rushed to midtown upon the flash that Bruno Richard Hauptmann had been found guilty of first degree murder in the Lindbergh kidnap case, but Broadway was aware of the result before the papers were off the street. Every parked taxicab seemed to have tuned its radio set in for the news. Verdict was announced at 9:40, but word spread rapidly.

## Against Own Desires, Dailies Air News to Stop Big Advertiser

Pittsburgh, Feb. 19. Hitting back at Kaufman's, Pittsburgh's leading department store, three Pittsburgh newspapers have smashed wide open their agreement not to broadcast news and are all hitting the ether now with simultaneous flashes on three different stations. Dailies claim move is entirely in self-protection, pointing to fact that Kaufman's action is a competitive move.

Couple of months ago department store bought time on WJAS, outlet for CBS here, and contracted for regular news flashes to go on the air twice nightly. Newspapers asked the mercantile boys to lay off, and when turned down they took matters in their own hands.

Meeting of publishers' association led to decision to resume news broadcasts and lid was blown off over-week-end. In addition, newspapers are tosing in their columnar name strength in conjunction with newscasters in an effort to attract even more listening power. While they haven't said so, it's understood that sheets will abandon news broadcasts again once Kaufman's has gone off the air with this type of commercial.

Present setup has Jimmy Murray on WCAE, Hearst station, for "Sun-Telegraph," Cy King on KDKA for "Press and World," and on WWSW for "Post-Gazette," paper owning and operating the station. Dailies claim that violation of the news agreement by an outsider, meaning the department store, is in on circulation, and while publishers still feel they're not helping situation any by going back to flash broadcasts again, they're out to teach Kaufman's a lesson.

What makes the whole situation even more ticklish is the fact that Kaufman's is the biggest single Pittsburgh advertiser in all three newspapers. Situation may yet prove a crisis, but boys are still awaiting developments.

Flock of the paper broadcasters are being arranged to go on at exactly the same time that Kaufman's airs his news. Accutainment of the store's competition was felt particularly during the Hauptmann trial, when expected increases in circulation failed to materialize.

## Rudy Vallee Sued

Boston, Feb. 19. Co-incidental with Rudy Vallee's victory in the Fay Webb suit in New York he was sued for the third time in a row. Superior court in Boston, Mass., by Mrs. Florana M. Whitney of Belmont, Mass., in connection with an automobile accident last June 20 in which Vallee was chauffeur was involved. Vallee was previously sued by two other Boston persons, one for \$20,000, the other for \$5,000 as a result of the same accident. Mrs. Whitney claims the chauffeur was responsible for overturning a car in which she was riding in Newbury, Mass., on the June date, resulting in injuries to her that prevent her from continuing her former occupation.

No date set for trial of the three suits.

## Colum. News Sponsored

Columbus, Feb. 19. Ward Baking Co. has contracted for "Froggy" news commentator on WABR, with the deal calling for a quarter hour daily over a period of 52 weeks. Booking was handled for the local Ward "distrib by Fletcher & Ellis. Froggy is merchandising tie-in will be with the local indie chain and indie grocery stores.

# HEARST WANTS CHI STATION AND BADLY

Chicago, Feb. 19. Hearst radio interests are reported desperate for an outlet in the city. Technically, every station in town has received an offer. Hearst offer to WCFB, Chicago Federation of Labor station, is reported as \$150,000. Not accepted. "There is an arrangement with NBC's outlet, WENR, made after KYW moved to Philadelphia, but that's not working out too happily. Recently the two Hearst dailies had to bank down coin for time on WCFB, the Columbia station in order to advertise its newspaper syndicate staff.

Latest possibility is that Hearst will buy up a group of one-lungers in the neighborhood and attempt to merge them or scrap all but one and ask a strong signal for the one retained.

## Equity In Radio

(Continued from page 1)

ported a sizzler. Malcontents are actually being heard out in vaudeville, surrendered jurisdiction in motion pictures to an independent group with only nominal Equity affiliation, and unless be in the future will see the parade go by in broadcast.

Equityites take the position that chiseling and sharp practices by agencies, sponsors, managers, etc., are prevalent in radio today, and that the only difference noticeable since the big grifting days of 1929-30 is that some of the chiselers are today a little more circumspect and "guaranteed" in tactics.

Wagner in tactic. Special point of objection is the custom of making electrical transcriptions from network broadcasts without giving the actors additional compensation. Equity is reported seeking the support of Senator Wagner (Dem. N. Y.) to espouse a congressional enactment making this unlawful.

Another unique problem that confronts organizational work in radio and the task of finding a qualified organizer is evidently tough. It is said that somebody not an actor, but familiar with radio advertising, is sought to campaign for members. Without such familiarity, it is felt the Equity deputy would get lost in the intricacies of radio and comparatively new business.

Singers and vaudevillians within radio are a particular objective of Equity. It is felt that the dramatic actors are already a member of Equity, and that the association. Proposed contract for radio would regulate compensation and length of rehearsals, scale for broadcast transcriptions taken from a broadcast performance, and conditions of employment generally.

Whether the most sanguine hopes of Equity extend beyond New York, Chicago, Los Angeles, San Francisco and larger broadcast centers is not known. Seemingly it is proposed to attack program-by-program, rather than leverage on the broadcasting industry as a whole is beyond the geometry of realities.

Stations, advertising agencies, local networks, transcriptions, collectively, rather than specifically, are posed to Equity. While there is a fair-minded acknowledgement in the higher class group of executives, a number of cases of talent are reported bad. Equity is a spokesman for radio talent hasn't appeared very plausible.

Willfulness of talent to be exploited, fierce competitive pressure of the bottom line, the general confusion and ignorance of actors from legit, vaude, etc., when trying to crash radio have admittedly provided ideal opportunities for the sharpshooters. Equity to date has simply presented itself as a candidate for the job of representing radio talent. It has not gathered much data, has not had newspaper publicity, and has never dramatized the abuses which are perpetrated against radio performers. It is probably true that the great majority of radio performers do not recede from show business itself hardly know what Equity is.



# CLEAR CHANNEL POLITICS

## Radio's Name Craze

In their mad desire for names and nothing else, radio sponsors, apparently without realizing it, are passing up a rich source of talent. Vaudeville fields and legitimate theatres are wide open hunting grounds for radio, but radio thus far has confined most of its pot shots to the big dough game only.

To this chase for ready-made stars, in face of the fact that there aren't enough established names to go around and probably never will be, is attributed radio's failure to develop star performers of native origin. Not only has radio's talent-finding in 10 years of commercial broadcasting been far from commensurate with its progress in other lines, but in this respect radio has also lagged behind other and less prosperous amusement branches.

Sponsors and the advertising agencies that buy their talent are equally responsible for the costly name craze. Sponsors won't consider a name that isn't known by reputation. Agency is motivated either by the necessity of catering to the sponsor's whim, fear of gambling on something of unproved quality or a lack of progressive showmanship.

As far as the artists' representatives (agents) are concerned, the name-only craze is a satisfactory arrangement because the sale of a name for radio means big money immediately, while the sale of a little known artist commanding only a moderate salary at the start calls for patience and a long wait for the big coin. There are other agents not fortunate enough to be representatives of stars, and these would prefer a market for lesser knowns, but it's seldom that an ad agency will listen to them.

As a result of the agencies and sponsors' name preference, the star field has been almost completely milked, and radio is stumped at the present moment. Some of the stars made good on the air and they are among the big air names of today. But many more flunked the other test. That about everything in the name line has been tried by radio gives rise to the thought that eventually radio may be forced to give the others a chance, but up to now there have been no signs of such an intent.

Numerous potential advertisers have preferred to stay off the air when balked in the efforts to land names. It is possible that they might have developed stars of their own had they searched the lower talent brackets, but none was willing to take a chance.

Although radio's talent quests among the secondary strata have been negligible, the few attempts have uncovered considerable meritorious talent. The best example of the development of small time stage talent into radio star culture is Amos 'n' Andy. Other acts that rated no better than moderately as stage names before radio grabbed them are Burns and Allen, Bing Crosby, Kate Smith, Jane Froman, Ray Perkins, Duke and Sully, Fred Allen, Gertrude Niesen, James Melton, Mills Bros., Wayne King, Rubinfon, Arthur Tracy, Walter O'Keefe, Guy Lombardo, Sam Hearn and Myrtle-Vail.

Meanwhile the name-craze records show that radio has missed more often than it has hit. The radio public is pretty hard boiled in its talent tastes; it will reject the biggest star as quickly as the smallest actor, once the star proves unworthy.

There is no evidence to show that sponsors won't find as many potential stars among the unknowns as among the names. With this in mind, there are several hundred first rate players in vaudeville and legit marking time till that other opportunity comes along.

## STAN HUBBARD SIGNS WITH NBC

St. Paul, Feb. 19. Stanley Hubbard of station KSTP has signed the new compensation contract offered by NBC. Hubbard confirms acceptance, but declines to divulge any information beyond giving his okay to the pact.

Niles Trammel from Chicago contacted KSTP.

Kansas City, Feb. 19. Kansas City Star station, WDAF, reported okaying the NBC 50% sliding scale contract offered by NBC.

Bing Smith for station WREN, the other local NBC affiliate, has also signed the new terms.

## Clipp of NBC at WFIL

Philadelphia, Feb. 19. Roger W. Clipp of the NBC station relations department moves here to WFIL this week as office manager. Appointment was made through Don Withycombs, studio chief, who was associated with Clipp at Radio City until he came here recently himself.

As Withycombs' assistant in New York Clipp supervised operations of KDKA, Pittsburgh; WBE, Boston; WTAJ, Springfield; WWS, Washington, and KQA, Denver. He begins activity this week.

## FORD BILLINGS TO HEARST

J. Leslie Fox May Also Join Pub's Organization

Chicago, Feb. 19. Hearst radio is grabbing top-notch executives. Latest recruit is Ford Billings of KSTP, Minneapolis-St. Paul. He goes to WCAE, Pittsburgh as G.M. Pete Peterson, of Blackett-Sample-Hummert is another passing into the Hearst broadcast fold. He will serve out of New York as sales stirrer-upper and station contact.

Also in prospect for a Hearst connection is J. Leslie Fox, until last season a commercial manager of WGAR, Cleveland. Fox has been huddling in Chicago with Hearst execs. Edward Alshere, former agency radio man and more recently with the Storer chain, is on the Hearst maybe roster.

Although Ford Billings' contract with KSTP had until July, 1935, to run, Stan Hubbard released him to allow him to answer opportunity's knock.

Pittsburgh, Feb. 19. Ford Billings coming in from KSTP, Minneapolis, sends Chester Thomas back to WINS, New York, as assistant general manager and program director.

It's the fourth chief WCAE has had since Jesse L. Kaufman left a year ago to head the Hearst radio enterprises. Other two were Fred Weston and Jack Stewart.

## Conquest Names Canizares

Havana, Feb. 11. Conquest Alliance Co. of New York has extended its activities to Cuba. Has appointed Rene Canizares as its general representative.

Also contemplating establishing a branch office here.

## SEE STALLING ON 640 CASES

### Congressional Suspicion of Federal Communications Commission Reported as Complicating the Problems of Wavelengths

### BIG BIZ SLANT

Washington, Feb. 19. Weeks of additional delay by the Federal Communications Commission in declaring the future American policy on clear channels is looked for in industry circles. Here as result of Congressional suspicion of radio rulers.

Watchers are reconciled to long-drawn-out pondering by Commish before the issue is settled in the 640 case involving KFT's right to exclusive use of this frequency. Congressional pressure enlisted by defenders and attackers of clear-channel principle is complicating the matter and has the Commish on a plenty warm spot.

Possibility that decision will be held back until legislators clean up their desks and go back to the sticks is seen in the leisurely manner which the KFT case has been handled.

Whether Commish is stalling deliberately or conscientiously endeavoring to wind up the proceeding, watchers feel that there will be serious repercussions no matter how the matter is settled. Court challenges are regarded as inevitable regardless of the way the Commish leans.

### Leniency Charge

Congressional criticism of the Commish's leniency toward big stations and networks has given rise to a fear that KFT may take it on the chin so that members can improve their standing at the Capitol. Also reported that Senate Interstate Commerce Committee is on the verge of making its own study of the principle of maintaining certain frequencies for exclusive use of various broadcasters.

And will look into charges of favoritism in handing out valuable assignments.

Whole clear-channel principle is at stake and number of demands for abandonment of policy is increasing rapidly. With pressure for break-down of channels coming from within and outside the industry, and with the whole Commish more or less on probation, some watchers do not see much ground for hoping that policy will be maintained.

Current field surveys by Commish are interpreted in some quarters as a disguised attempt to dig up technical evidence which would justify abandonment of the policy. Other observers read exactly the opposite meaning into the studies.

Delay is believed in some quarters to be caused by a desire of the Commish to settle both the 640 and 830 kc cases at one stroke, although the KFT case is much further ahead on the Commish list. Also it is suggested the Commish is waiting to see whether anticipated fight for further breaking up of 970 channel will materialize.

## PALEY OFFERS CUBA 13 FREE PROGRAMS

Havana, Feb. 11. Cuban government will have 13 weekly broadcasts to stimulate tourism trade if it takes advantage of the offer made by William S. Paley, CBS exec, while vacationing here with his wife.

CBS will carry the 13 weekly programs over its network free of charge if the Cuban government pays for the talent and for the wire charges from Havana to Miami. No action taken yet.

## Advertising Agencies' \$9,000,000 From 15% Radio Commish in 1934

### Reason for Sale

St. Paul, Feb. 19. Haakell's PUNCHBOWL, likker program airing nightly over KSTP is currently plugging a 'big money-raising sale' of wet socks.

Benny Haakell, program's recently paid a \$5,000 fine in Federal court for a \$2,300 in-come tax violation.

## RADIO AUTHOR IS A GAMBLER SEZ COURT

Upholding the agency's contention that the words 'per acceptance' in an order implied no obligation if the work were rejected, Municipal Court Judge Toni last week decided against the suit brought by Helen Melnardi against the Ruthrauff & Ryan agency. Miss Melnardi had asked the court to award her \$350 for some scripts that she claimed the agency had ordered for a Life Buoy soap series.

Scripter's counsel had argued that the order which the agency gave her constituted a contract, regardless of the 'per acceptance' clause, and that the agency was obligated to pay for the completed job or allow Miss Melnardi an opportunity to make the ordered work acceptable. Ruthrauff & Ryan's lawyer informed the court at the trial that the advertising-trade had always construed the words 'per acceptance' as implying that the job was speculative and that both approval and payment strictly depended under such circumstances upon the discretion of the agency or client, or both.

Order in controversy involved a series of 10 scripts for five minutes transcriptions, which the agency figured to make for the soap brand. Of the two series she had previously submitted, Ruthrauff & Ryan had accepted one.

## MANNIE SACKS GETS BART McHUGH POST

Philadelphia, Feb. 19. Following the death several weeks ago of Bart McHugh, former proxy of the Universal Artists Bureau, operating for WCAU, berth went to Mannie Sacks by directors' vote last week. He had been with the Levy organization since 1929, becoming v.p. of the bureau under McHugh early last year.

Current plans calling for heavy expansion brings in Tom Martin, bank broker of the Columbia Artists Service, as Sacks' assistant in direct charge of all firm's work units. Martin, who commenced Philly duties on Saturday (16), had been an indie booker in this area before going with the CBS outfit in New York last fall.

Understood that Sacks' hypo of the bureau will take the form of wide expansions into other bookings besides those directly related to WCAU and the local activities now being handled. He had been responsible for the move into night clubs last year, with the firm now holding a corner on most of the pick-up hereabouts.

### Alexander Breathing Deep

Turned into a whispering deep tone by six weeks of broadcasting the Hauptmann trial, A. L. Alexander has gone to Atlantic City to get back his voice and his bloom of youth.

Resumes next week at WMA, New York.

Figures collected to date indicate that during 1934 radio accounted for over 15% of the advertising agency trade payroll. Segment represents a jump of around 5% over the previous year. Data also reveals the idea of the program consultant has made little progress in the business and that the tendency is to maintain an inside staff of radio experts, expanding or reducing it as the departmental exigencies require.

It is estimated that \$50,000,000 of the accumulative amount grossed from the sale of time last year was cleared through ad agencies, with the usual 15% discount or rebate allowing the latter a total of \$9,000,000. With the personnel cost of operating a radio department figured as averaging 20%, the agency herein's payroll outlay for 1934 comes to around \$1,500,000.

Practically all the major agencies in radio also collect a commission on talent costs, with the charge applied to the aggregate price for the show. Inclusion of the gross derived by agencies from talent billings would appreciably boost the ad agency trade's estimated \$9,000,000 income from radio and, by the same token, lift the radio performer's payroll easily over the \$2,000,000 mark.

## WOR, NEW YORK, INVADING PHILA.

With the unveiling of its new 50,000-watt transmitter Mar. 4, WOR, Newark, will go after the Philadelphia market. Experiments with the station's new directional antenna have disclosed that the 50,000 watts will produce an exceptionally strong signal in the Philly area, with the result that WOR has decided to not only stress this angle in all national sales promotion material but solicit business from Philadelphia.

WOR is launching a special advertising and publicity campaign in the Philly territory, with the former including the use of scores of billboards for a month calling attention of both merchants and listeners to the station.

No change in the prevailing time rate structure is contemplated by WOR for three or four months.

## BAKER AVOIDS U.S.A.; PETITION TOSSED

Mucacatine, Ia., Feb. 19.

Norman Baker, erstwhile cancer institute and radio station operator, has lost his chance to open up a new station here. Federal Communications Commission dismissed his application for a license when he failed to put in an appearance at Washington to prosecute the case.

Coincident with the dropping of the application, it has been ascertained here that Baker intends stepping up his XENT, Laredo, Texas-Mexico outfit to 150,000 watts.

### Byron Kauffman at WCAU

Philadelphia, Feb. 19. Newest addition to the WCAU staff this week is Byron Kauffman, former free lance scripter, who comes in to handle production and specialize in pending comic material.

He has been selling wit to Jessel and Teddy Bergman for several seasons.



# May Cheapen Performing Fees To Encourage Radio Playing Of Standard Music Scores

Agents for the copyright owners of operetta, operas and symphonies have under contemplation the idea of substantially reducing the cost of production rights to these works for broadcasting so as to encourage more frequent use of the manuscripts on both commercial and sustaining programs. Reps for the copyright owners figure that quantity production at low licensing fees would not only re-stimulate sheet sales of the works but bring the copyright-owner a hefty boost in income.

Grand right, as distinguished from the small, or performing right, requires that the user obtain a special license for each use. Line of demarcation between the grand and the small right has never been defined by statute, but the radio music trade is at the welding together of three numbers from a work plus the use of dialog and the sketching in of a background constitute a grand or production right.

In 1934 the radio music trade tabulated production of a work for broadcasting brings anywhere from \$50 to \$750 per use. Highest figure represents that set for sponsored programs—by the Victor-Hugon estate. Other operetta works that bring high bracket fees from commercial users are those of Sigmund Romberg, Franz Lehár and Jerome Kern. Licensing cost the radio music opera in lab form rarely exceeds \$250.

Among network commercials the buyer of grand rights to operettas is palmy. License price for this account's Tuesday night hour on NBC averages \$500 a use. Chase & Sanborn is a big buyer of heavy opera rights.

Chicago, Feb. 19.

Trying to slough off as many expenses as possible, NBC has sent a letter to all agencies and sponsors, informing them that, beginning March 1, the network will charge for the clearing of rights on songs, acts, plays, novels, operas and such. In the past NBC has included this in the regular charges for time. Agencies are burning at the new ruling from NBC and claim that it is unjust taxation for a service which should be included in the network rate.

Letter to the agencies listed the following charges for broadcast rights clearance. Operas and operettas, \$35; full-length plays, novels, parts of full-length plays and adaptations, \$25; one-act plays, short stories, adaptations and parts thereof, \$10; rights for arias, symphonies and miscellaneous music, \$5. The new effect on new contracts after March 1. On contracts signed prior to that date the clearance rights will be included in the regular NBC service.

We Can Get It Wholesale

In its message NBC states that since the network conducts these clearance operations on a wholesale scale it can do such negotiations more quickly and more cheaply than the individual agencies. Also states that the agencies may conduct such negotiations themselves if they so wish, but that the network must receive complete guarantee of such clearance.

Agencies are now in a head decisioning what to do about this situation on charges, which they and agencies have always assumed to be included in the regular legal service offered by the web. To the agencies it appears petty, in that a web dealing in \$100,000 contracts asks for a \$5 remuneration on minor items, especially in instances where the network is receiving top coin for time and where the stations themselves get only a small fraction of the time coin.

O'Flynn Takes Powder

Standard Oil Co. of New Jersey will call it a run for 'The O'Flynn,' Friday night series on CBS, with the Mar. 1 broadcast. Latter event will account for 13 programs.

Standard Oil Co. of New Jersey, the O'Flynn turned out a flop and was on the point of folding. Standard Oil issued a statement denying that it had engaged the stage show. Report in legit circles had been that the official of the refining company had sunk over \$55,000 in the musical.

## Scripts Copyrightable

Under proposed new legislation pending before Congress the copyright laws would be amended to include, among other changes, protection for radio scripts. "Programs and continuities if they embody the original work of an author" are specifically mentioned. A more complete story on the copyright situation with reference to radio performing fees, and ASCAP appears in the Music Department of this issue of VARIETY.

## \$1,123,594 Ran Canada's Radio In 1934 Report

Detroit, Feb. 19.

Annual report just released by Canadian Radio Commission, gives the cost of broadcasting for the past fiscal year, at \$1,123,594. Production costs rank highest with \$344,127. Cost of line wires for remote controls and network facilities represented \$200,899 and rentals and leases, \$141,194.

Salaries for radio executives, talent and engineers totaled \$129,670, of which \$74,759 is charged up to headquarters at Ottawa.

## Arnold Hartley Succeeds Carol Irwin at KYW, Phila

Philadelphia, Feb. 19.

KYW program department undergoes a change this week with the resignation of its directress, Carol Irwin. Gail moved to the post with the opening of the Westinghouse station last fall, after serving a lengthy term at WCAU as program assistant under Stan Lee Bros. Situation occurred when the Levy brothers took over the dual-station operation.

Understood that Miss Irwin, who has been doing free lancing for several N. Y. agencies, will tie up over there.

Replacing is Arnold Hartley, another WCAU program department product, who came to the CBS outlet from the production staff of Music City. He will be in October. Hartley will actively supervise production and also bring with him to the new station several script shows he has been penning for WCAU.

## Albertson Out as WEBR G. M.

## Buffalo's Most Picturesque Radio Figure Replaced as Town Crier by Edelstein of Times

Buffalo, Feb. 19.

Roy Albertson, WEBR general manager and originator of the station's most widely known program, the Town Crier, is out following free will resignation in October.

Station, which bears down on local broadcast and appeals chiefly to east side listeners, was given a city-wide audience through Albertson's Town Crier scripts which whammed away at city officials, corporations and any other municipal punching bag that presented itself.

Although Howell refuses to make formal announcement of Albertson's exit, understood that he was scorched by Albertson taking too heavy a hand in the station's affairs and gaining too much control.

Howell has signed Joe Edelstein, Buffalo Times reporter, for two-year term. Edelstein will write future Town Crier scripts and also inaugurate new idea in local radio news coverage for WEBR.

Idea is to put on strictly local

## Hearst Eyes Albany

Hearst Radio, Inc., has applied to the Federal Communications Commission for permission to build a station in Albany, N. Y. Application asks for a 1,000-watt, unlimited time, franchise on 970 kilocycles.

W. R. Hearst publishes in Albany the Times-Union.

## 20,000 WATT STATION IN RIO

Rio de Janeiro will have a new 20,000-watt station in operation May 1, with the stock control of the venture held by Y.M.A. Call letters assigned the new outlet are PRE3. Transmitter will be located in Engenho de Dentro, five miles from the center of Rio, and operate on 1,222 k.c.

Indications are that there will be three other 20,000-watt stations added to the Rio list of commercial broadcasting facilities by the end of the current year. Also, that the two outlets now in operation, PRAS and PRCE, will be upped to 25,000 watts each.

Three outfits that have obtained permits to build are Radio Jornal de Brazil, Radio Tupi—and Radio Ipanema.

## CBS, NEW YORK, ADDS THIRD LEGIT THEATRE

CBS takes possession of the Little Times Square legit house, this week, making it three former legit spots that the web is using for studios in the same area. Other two houses are the Hudson and the Avon.

Network is still negotiating for an outside studio to take care of excess sustaining programs.

## Byrd to Do Briefe

Los Angeles, Feb. 19.

Although the Admiral Byrd program from the Antarctica is discontinued as a half hour commercial, CBS will utilize a broadcast from the explorer on the CBS California Melodies program from here Sunday night.

Byrd material will be on only for five minutes.

## Stude Spieler Now G. M.

Muscle Shoals, Ala., Feb. 19.

New regime at station WNNR is getting started. Max Williamson, who came in as a student announcer in 1933, is now G. M. of station.

Leslie Wright, Paul Hodges and Harold Russey on new staff.

## Improbable Broadcasts

### No. 8—How to Be Charming or Bust

By Bob Landry

Sound effect—Mrs. Neverasked

2d, gurgling her tea.

Margary Wilson—May I offer you a crumpet, Mrs. Neverasked?

Sound effect—Tea-gurgling, with pause.

Mrs. Neverasked—Oh, you mean

of cookie-gae, tanks, Maggie,

sound effect—Year-gurgling with

crumpet.

Emily Post—How is your book on

charm selling these days, Mrs. Wil-

son?

Margary Wilson—Splendidly, just

splendidly. Everybody is perfectly

mad over charm. And how is the

atmosphere market?

Emily Post—Not what it used to

be, Mrs. Wilson. So many people

rely on their charm nowadays that

excuse their bad manners.

Margary Wilson—Ah, but Mrs.

Post, there can be no compromise

with the eternal verities of eti-

quette. It is the very cornerstone

upon which ultimate charm is built.

Emily Post—How reassuring to

hear you say that, Mrs. Wilson.

Things have changed. Today so

much of our social life is spent

under rather than at the table,

don't you find?

Sound effect—Crumpet going

down Mrs. Neverasked's esophagus.

Mrs. Neverasked—Gee, how I

enjoy you, dear. May I offer you

full of etiquette and Em you get

heavy with charm. And me—still

playing whist.

Margary Wilson—A few simple

rules, Mrs. Neverasked. You've

asked, perfect relaxation and pose

—that's all.

Emily Post—There is no substitute

for the assurance of knowing.

And so few basic rules are really

necessary, Mrs. Neverasked.

Mrs. Neverasked—Gee, why don't

youse dames get up a two-act and

go on the radio.

Margary Wilson—Shall we tell

her.

Emily Post—Mrs. Neverasked, we

have a surprise for you. We are

on the radio.

Mrs. Neverasked—When?

Emily Post—Right now. We've

been on ever since you hit B-flat

with your orange-pokeo.

Mrs. Neverasked—I'm on de air?

People is listening to me?

Margary Wilson—You see every-

body we have a surprise guest—

the guest doesn't know she's on the air. And in this way we talk about charm and etiquette and learn what the women of America really are thinking about and what worries them.

Mrs. Neverasked—And you mean to say the radio company pays you just for that?

Emily Post—No, dear, you don't understand radio. The radio company never pays anybody. We have a sponsor.

Mrs. Neverasked—Teah, who?

Margary Wilson—Our sponsor is

the Sweetie Pie Brassiere Company.

Mrs. Neverasked—Brassiere, what's that?

Margary Wilson—I'll pass that to

you, Mrs. Post. I defer to your

more cosmopolitan background.

Emily Post—My dear—you know

Mrs. Neverasked—Oh, you mean

a corset.

Margary Wilson—Complete

charm is impossible without a

Sweetie Pie Brassiere.

Emily Post—Tell her about the

amazing announcement of our new

streamlined type L.B. Sweetie Pie.

Margary Wilson—Your neighbor-

hood drugist carries the new

streamlined L.B. type on his hand-

andy counter in the middle of the

store right between the coffee pots

and the tennis requests.

Emily Post—Just ask your drugist

for the L.B. type in size 8 for small,

M for medium or L for large.

Margary Wilson—We also make

in-between sizes of Q.L. for Quite

Little, N.S.L. for Not So Little and

K.S. for Kinky Slippy.

Emily Post—In addition to the

new streamlined L.B., or low back

model, our just after swimming

model, our cocktail delight model

and our maslin niblick model.

Mrs. Neverasked—Gee, I guess

can't go wrong in a Sweetie

Pie.

Emily Post—Charm, Etiquette

and Sweetie Pies are sweeping the

country.

Sound effect—Just an echo from

the crumpet.

Announcer—And so another

Sweetie Pie Surprise Guest

program comes to an end.

Signature song—"You're a Build-

er-Upper."

## CORMIER AT WIP

Frank Lamb Quits Radio for Chicago V.P. Chore

Philadelphia, Feb. 19.

A sudden change at WIP brings in Albert A. Cormier, former top man on sales for the American Broadcasting System in the same capacity here. Cormier replaces Frank Lamb, whose resignation took effect on Saturday (16). Lamb leaves to become associated with the Reynolds' Appliance Corp. of Chicago as vice-pres and sales manager.

Lamb is credited here with upping the program quality of WIP and doubling its net profits over last year. He had moved into the berth after vacating as advertising chief of the local Gimbel store where the studios are also located. Cormier's activity will include sales and promotion under Benedict Gimbel, Jr., presy of WIP. Appointment was through Kenneth Collins, general ad director of the Gimbel New York store, after a conference here last Tuesday (12).

## Freshney with Agency

Cincinnati, Feb. 19.

Edwin E. Freshney has resigned as sales manager of WASH to head the radio department of the Procter & Collier Co., local ad agency. He was with the Crosley small for a few months.

Position passes to Robert G. Jennings, a newcomer from Elmira, N. Y.

## WOR News Commercial

Fischer Baking Co. has underwritten the management of the Transradio Press program on WOR, New York. It's the station's first sale of news bulletins, with the account starting March 8, the early a.m. Tuesday, Thursday and Saturday periods.

Each stanza will run 15 minutes.

## Air Scouts Fine Comb Coast for Elusive Talent

Hollywood, Feb. 19.

Claiming that the two networks have about absorbed all of the available radio talent in New York, Harold Kemp, of the NBC Artists Bureau, is here looking over both air and picture talent for coming programs on that chain.

Day after he arrived, Lew Frost, program director of the San Francisco office of NBC, came into town, also saying he was looking for local talent for northern programs.

Kemp will audition several prospects while here. He brought with him Marion Talley, who is set for a film test by Metro some time during the week.

Another member of the bureau also hitting Hollywood at the same time was Alexander F. Haas, of the concert department, who set several deals for next season with L. B. Bohnmer, local concert impresario. These deals include the bringing to Los Angeles next year the Monte Carlo Ballet, the Schoop Ballet and the Moscow Cathedral Choir.

## Winner Co. Bankrupt

Winnipeg, Man. & Culbertson, Inc., radio program producers, filed a petition in bankruptcy with the New York Federal Court last week.

Schedule attached to the petition gives the liabilities as \$14,942 and assets, \$1,477.

# SPOT BIZ SEES RAINBOW

## Spot Broadcasting Accounts

VARIETY WILL COMPILE MONTHLY A CURRENT LIST OF ADVERTISERS BUYING TIME ON A SPOT BASIS. NATIONAL OR REGIONAL ACCOUNTS USING ANNOUNCEMENTS, OR SPONSORING SPOT PROGRAMS EITHER RECORDED OR WITH LOCAL LIVE TALENT, ARE INCLUDED.

### SPONSOR

A. C. Spark Plugs  
Akron Lamp Co.  
American Oil Co.  
American Writing Machine  
Associated Oil Co.  
Beaumont Laboratories (medical)  
Becker, Rooding Co.  
Beman's Laboratory (medical)  
Bernard Perfumes  
Best Food (Nucoa)  
B. C. Remedy Co. (medical)  
Blackstone Products Co. (medical)  
Blount, Inc.  
Bo-Kay Perfume Co.  
Bunte Bros. (candy)  
California Fruit Growers  
Capitol City Products  
Canadine (medicine)  
Carlton & Hovey (Father John's Medicine)  
Carlsbad Sprudal Salts (medical)  
Carter-Medicine-Co.  
Chesapeake & Ohio (railroad)  
Chrysler Corp. (motor)  
Clark Bros. Teasberry Gum  
Clemens Mineral Springs  
Cole Milling Co.  
Conti Products (cosmetics)  
Consolidated Cigars  
Crazy Water Crystals (medical)  
Curtis Candy Co.  
Delta Coal Mining Co.  
Detroit Mfg. Co. (insecticides)  
Detroit White Lead Co.

### AGENCY

D. P. Brothers, Detroit  
Guenther Bradford, Chicago  
Joseph Katz, Baltimore  
Bayard, N. Y. C.  
Lord & Thomas, San Francisco  
James A. Green, Atlanta  
Helmer Swenson, St. Louis  
Benton & Bowles, N. Y. C.  
Charles W. Hoyt, N. Y. C.  
Redfield-Johnstone, N. Y. C.  
Fred A. Robbins, Chicago  
Lord & Thomas, Los Angeles  
J. Horace Lytle, Dayton, O.  
Jacobs Dillard, N. Y. C.  
John Queen, N. Y. C.  
Kiesewetter, N. Y. C.  
H. H. Good, N. Y. C.  
Campbell-Ewald, N. Y. C.  
Lee Anderson, Detroit  
Edwin Power, Pittsburgh  
D'Arcy, N. Y. C.  
Henry S. Howland, N. Y. C.  
Attkin-Kynett, Philadelphia  
Lucky Bowman, N. Y. C.  
McJunkin, Chicago  
Murrel Crump, C. C. Mo.  
Attkin-Kynett, Philadelphia

(Continued on page 38)

## WHOM, Jersey City, Gets Renewal Despite Raps At Program Service

Washington, Feb. 19. Threatened removal from the air of WHOM, Jersey City, was lessened last week with recommendation to Federal Communications Commission by Examiner George Hill that station be given requested license renewal and construction permit for improvements in equipment.

Criticism upon which investigation was based was directed at medicine, racing and heart-throb programs at which government looked askance, but Hill pointed out in his report that objectionable programs have been dropped. Considering entire record, Hill said he is of the opinion that granting of the application would serve public interest, etc.

Report rapped broadcasts by Barbara Ray, which were discontinued less than a year ago following warning from Communist after complaints from listeners. Hill described palpitation as "psychic" and philosopher with a talent for giving help, advice, and consolation based upon a knowledge of life and constant touch with legal and medical opinion—and concluded that Toy programs did not serve public interest. Further, notes that Toy involved use of broadcasting station for delivery of personal messages to private individuals.

Other programs drawing Communist fire included racing tips of the Tri-Boro Racing Guide, which also put a second station in the New York area in hot water. George selections were not specifically condemned but Hill noted significantly how no evidence was introduced to show any approval by the Communications Commission of this program.

Health programs were of doubtful public value and in some respects probably involve violation of code of medical ethics, examiner opined, listing Hill Medical Office, Modern Medical Associates and Medicated Air Institute programs.

Lewis Lacey, formerly KTSA, San Antonio station manager, has been shifted to Fort Worth where he becomes production head for SBS. He's replaced at KTSA by L. L. Jaquelin, formerly of Indianapolis.

## Wax Works

David Worrall and A. Basser, representatives of Australian stations, in Hollywood to contract for discs.

Stirling Remedy company, Des Moines, Ia., 15-minute program service for eight stations. Placed through Heath-Seehof, agency, Chicago. World Broadcasting System.

Dr. Scholl's account is waxing through an Arthur Tracy series for Mutual chain. Donahic & Coe agency handled the disk deal.

## SPOT ANNOUNCEMENT RIDING ON TAIL OF WEB PROGRAM CREATES PROBLEM

### Believe Selby Shoe Extra Minute for Local Dealer Arrangement Necessitates New Classification—Six Stations Reject It

Chicago, Feb. 19. Insertion of an entirely new clause in the station's rate schedules is foreseen in the radio advertising industry following the situation arising out of the Selby Shoe company show with Mrs. Franklin D. Roosevelt on the Columbia web. This new rate setup would establish a special charge for spot announcements included on a network show. Plan of the program, as established by the Henri, Hurst and McDonald agency here calls for only 14 minutes of the 15-minute show being utilized by the network program with the final minute being used by the local stations for announcements of the Selby shoe dealers in the territory of the individual stations.

Difficulty in this situation arises from the fact that a number of the stations are insisting on getting full local rates for making this additional announcement despite the fact that this minute is included in the original 15-minute deal with the network.

Just six stations out of the 64 outlets on the web taking this show are standing pat on this insistence of full local charges for the local spot. These stations are KMBC in Kansas City which is asking for

## HIGHER NETWORK RATES A HELP?

### Differential Between Network and Local Time Now Thought to Favor Increase in Spot Contracts

#### OMENS

Chicago, Feb. 19. Proponents of spot broadcasting persist in their cause for jubilation in the reversal of former rate condition. With NBC and CBS now launched upon substantially higher rates it appears that for many towns and stations for the first time local time can be bought cheaper than network clearance. This by obvious logic should react to the betterment of spot business. In Chicago the network rates hop from \$425-\$450 to \$600. Whereas local rates have been around \$500. Network outlets will probably boost the local charge to maybe \$550 or even \$600, to equalize. But independent stations are said to be hesitating to hop their local charges.

Station reps, radio disc cutters and the others interested in spot (Continued on page 38)

## WKCY STRENGTHENS LOCAL PROGRAMS

Cincinnati, Feb. 19. Arthur Ainsworth, continuously an announcer in Cincinnati for 11 years, has joined WKCY. Maurice Thompson will henceforth devote his full time to production and direction of programs. WKCY is out to strengthen its local shows.

WKCY, with Ainsworth added, will have four announcers on duty during peak hours. This is part of L. B. Wilson's policy to have a variety of selling voices. Others are James S. Alderman (chief), Sidney Ten Eyck and Les Goldsmith.

## Pending Radio Legislation Would Curb Loan, Insurance Programs

### After Charlie Chaplin

Hollywood, Feb. 19. During his stay on the Coast, Howard Kemp, head of NBC's book-keeping-office, will proposition-Charles Chaplin and the Marx Brothers on doing a series of broadcasts. Understood he has several accounts who would like the picture names. Groucho and Chico Marx broadcast for Standard Oil in the east last year. Chaplin has appeared before the mike only once, on a charity program, and almost did a fade-out from the mike right.

## SQUAWK WEEK SINGLES OUT SPIELERS

Buffalo, Feb. 19. Announcers cause more yelps of pain among radio listeners than any other class of mike performers, according to an analysis of hundreds of letters sent in response to the Buffalo Broadcasting Co.'s first annual Squawk Week.

Listeners were urged to make their beefs known to executives of WGR and WKWB and most of them uttered groans of pain over the announcers. "Most writers unable to talk the announcer by name, identifying their targets as the guy who talks through his nose and the mugg who talks with a mouthful of mush." One disguised "squawker" rumbled on for three pages complaining bitterly that there was no graphology program on either WGR and WKWB. Turned out, by a strange coincidence, that he was a graphology expert and would be glad to fill the gap on the air.

Washington, Feb. 19. Efforts to restrict loan companies charging high rates of interest have produced a threat against broadcasters in the form of proposed legislation barring programs sponsored by individuals or concerns charging more than 15 percent for their dough.

Although the bill apparently has little chance of passage in the face of concerted opposition by radio, newspapers, direct-mail advertisers, lenders, and others, observers here are keeping close watch on the House Post Office Committee in order to head off any move to push the restrictive legislation. Bill is sponsored by Representative Southard, Wisconsin Progressive.

Aimed at loan agencies charging exorbitant rates for risky advances, measure by implication attempts to take advantage of the interstate commerce clause of the Constitution in order to hit radio. Under terms of Southard's proposition, no person, partnership, association, or corporation collecting more than 15% for loans could use either the U. S. mails or a broadcasting station with a range covering more than one state for its advertising. Penalties suggested include a fine of \$50 to \$2,000 and imprisonment up to a year.

So far no attempt has been made to bring out the bill and the House Post Office group has no plans for conducting hearings.

Baltimore, Feb. 19. Bill has been introduced by a State Senator into the Maryland Legislature which would bar unauthorized insurance companies from advertising. The bill has no license to book biz in Maryland) from sponsoring radio programs within the state. According to the wording of the bill as it was put into the record, the ban, if ratified and applied, would prohibit any possible chain broadcasts bankrolled by the restricted firms from being carried by Maryland stations.

After embraced under the ban would be programs coming in from high-powered stations outside the state's boundaries. Though just how these wave-lengths could be detected was not clear, Senator Duncan when he made his proposal.

### WNBO'S OBITUARY

Telephone Co. Complained to FCC—Station Off Air

cago: WCCO, Minneapolis, KMXX, St. Louis, WABC, New York.

Sliced Charges  
Other stations have clipped the local announcement charge by half or more. WCAO in Baltimore will slash the minute spot rate from \$10 to \$5. The regular \$10 rate; WJAS in Pittsburgh will announce locally for \$10 instead of \$25. Agency is okaying this \$10 or \$15 charge as fair and equitable but can't see the \$30 and \$40 charges particularly when added to the network rate over a period of 10 weeks.

Stations throughout the web have already indicated that they consider this a situation which will be met more often in the future and that some specific statement should be made in their rate cards. Present rate cards do not cover this situation. Stations have generally agreed that they will take this up at the next meeting of the station representatives such as Petry, Price & Sleinger, Blair-Spight for a general clarification of the problem. From present indications it appears that this network spot-announcement will be regarded as a special courtesy spiel and that the charges will be nominal to take care of this additional service.

Rate cards have established station policies as to local announcements which precede or follow the network show, but do not cover the instance of local spels within the network time for which the outlets are already receiving some remuneration.

Washington, Feb. 19. John Browne Springs, whose broadcasting activities have been under scrutiny for several months, has voluntarily surrendered his license to operate WNBO at Silver-haven, Penn. Outlet silenced May 1. Communist last week ordered acceptance of the surrender of certificate and dismissed proceedings pending, which involve license renewal, and the assignment and construction-permit to move station to Elco, Penn. Skedded hearings were cancelled and order was issued for station to shut down at 3 a.m. Mar. 1.

Proceedings had involved complaints of telephone company that station—cheieled-on-line charges; making routine long-distance calls at regular toll rates rather than contracting for special connections at broadcast hook-up rates. Squawks were aired at drawn-out examiners' hearing at Washington, Penn., last fall but report has not been made.

### HHK, Haiti, After Coin

HHK, government controlled out in Port-au-Prince, Haiti, has gone commercial. Move had been pending for some time, with the party in power waiting until the island elections had been disposed of before making an official decision. Conquest Alliance Co. had been appointed the exclusive rep. for the station in the United States.

# New York Radio Parade

By Nellie Revell

First of the name bands to be hauled on the carpet by the new regime at the musicians union will be the Dick Himber orchestra. Some 40 men who have played for Himber in the past have been ordered to appear at union headquarters Wednesday (20) morning for questioning. Union investigating reports that the orchestra while playing in the Oval Room of the Ritz-Carlton hotel in N. Y. City, broadcast as sustaining as an attraction of the hotel after the band had finished its stint in the Oval Room; in other words after hours, with Himber paying the boys for this job made no mention of the arrangement.

Investigation will also go into a report that at the Essex House, some time back, the outfit broadcast from hotel as sustaining and attraction of hotel with no one being paid.

## Geared for Speed

NBC set aside room formerly used by Abe Shekter for use in flash broadcasting. Any time there is an announcement of major importance in the office, a portable broadcasting set-up is moved into the office. Reason is that the Press-Radio teletype machine is just across the room. Under old arrangement, when flash copy in it was run up to regular studios and to the announcer on duty. This took about six minutes what with long halls and elevator waits. Now copy is edited and aired in less than half that time.

## CBSites in Manhattan

Visitors to CBS, N. Y., Gordon Willes, general manager and v.p. of WDBO in Orlando, Fla.; Dwight Norton, mgr. of KWHK in Shreveport, Longate; Spencer Whedon, commercial mgr. of WSMK in Dayton, O.; S. C. Vinsonhaler, mgr. of KLLR in Little Rock, Ark.; Norman Reed, new acting mgr. of WPG in Atlantic City, N. J.; Edwin Spence, former mgr. of WPG, who is in lobby of Hotel New Yorker. Catch White from Cleveland, O. Mordon Buck, announcer of WHCC in Rochester, N. Y.; A. L. Chilton, mgr. of KRLD in Dallas, Tex.; John Shepard III of the Yankee Network; Franklin Doolittle, mgr. of WDRC in Hartford, Conn.

## Hard-Working Child

Lester Jay, a 15-year-old boy, is doing eight commercials currently. He is a regular feature on the Paul Whiteman show, the "Gumps," "The Lady Next Door," "Marie, the Little French Princess," "Just Plain Bill," "March of Time," and now Jay is member of cast of the new "Dick Tracy" show.

## Short Shots

Ed Pinaud leaves CBS on Feb. 23. May go NBC. Dick Messner or takes the spot until new commercial comes in. Sat. eve at 8, Tower Radio-Mag is playing host to a group of radio names in Scranton, Pa., at a benefit for a local charity. Fred Smith, editor of the mag will be heard the CBS, N. Y., on a Fulfilling speech on Monday, Feb. 25. Ben Rocke office handling "Babs and Her Brother," the ex-vocals of the Fred Waring outfit. An all-girl show auditioned at NBC last week. All female including the announcer. Agency threatens to have a female sound effects operator and female production director if show is sold. WMCA special event man, Dick Fischel, has a new stunt up his sleeve. He will set up a table in lobby of Hotel New Yorker. Catch White from Cleveland, O. Mordon Buck, announcer of WHCC in Rochester, N. Y.; A. L. Chilton, mgr. of KRLD in Dallas, Tex.; John Shepard III of the Yankee Network; Franklin Doolittle, mgr. of WDRC in Hartford, Conn.

## Scrambled Notes

Last week Bea Lillie tried to borrow a comb from a lady in studio watching Bea rehearse. Spectator didn't have comb. Later Bea had the studio cleared of visitors and comb. The spectator without a comb to lend was Charlotte Gear, radio editor of the Newark Eve News. Gene Marvey, tenor auditioning new type of program for Tastyest... Al Goodman to continue as official producer as well as musical director of the Tuesday night Palmolive Hour over NBC. He has complete charge of the program. Harry Stockwell, the bartitone, is screen testing for Far... Nate Schilkert will be guest composer and conductor on WINS at 4:30 on Feb. 24. William Russell, young baritone from the west, who is doing a little work in the NBC sustaining spots may be Benton & Bowles... Joe Reichman is doubling at the Statler hotel in Boston. For dinner he ork plays in the Statler Room. Comes supper the boys play in the Salle Moderne from whence they also broadcast... X. Sisters postponed Palace theatre opening until March 15. Their Monday and Wednesday sustaining shows are currently heard from Chicago. Harry Tugend is a popper. He alien and the child is a boy. Helen Hoyer, the fan yarn writer, to Havana on a 10-day jaunt. Paul Cooke's Note Book will premiere over WEAF network on Monday at 8 a.m. Bob Armbrusters "Travelers Quartet" is now vocalizing on the 5th Avenue show at WOR. WMCA will air the six-day bike race from the Garden March 7 to 9. Henry Burble on Everett McCall's Elsonod show and the Music Hall of the Air. Willet Lowell, NBC script writer, and compiler of "Dumb Belles Letters" shifts her desk to Radio City on March 1.

## Stand By

Pete Dixon staging House Detective for the Federal Housing Administration at NBC on Thursday. Mary Small's Bab show on NBC discarded the guest star idea because fans wrote in asking for more than two selections per program by Mary. Sld Gary back from a five-day Bermuda cruise resumed his twice weekly broadcasts from WOR. Jan Augustoff, who opens with his new ork at the Hotel Warwick with a WINS wire, has a new show on Wednesday nights at 10 p.m. with vocal specialists... Doris Sharpe of CBS-hostess staff in bed a couple of days last week with the flu. The new floor show at the Rainbow Room may include a group choir. A new high in propriety in a nite club floor show... CBS Artists Bureau signed Benj. Venuta, of West Coast. Starts twice weekly starting March 1. Bob Wynikson of CBS press to Syracuse for Mrs. Roosevelt's radio program for Selby Shoes. Jack Berner, the maestro, back on the bandstand after a bad fall laid him up last week. Harry Stockwell, new bartitone on the Paul Whiteman hour, signed for opera by Bruno Zirato, mgr. of Toscanini... Helwig Agency threw a party for the girls on the Lintit program. Paul White of CBS special events to be heard on the program. Ansonia Shoe Co. dickering for Harlem Amateur Hour which airs WMCA.

## TELLS PUBLIC HOW ADVERTISING WORKS

Dubuque, Ia., Feb. 19. Advertising Federation of America is shooting script through to almost every station in the country for release. Deals with the station from angle and how advertising affects type and character of radio programs. First in the series is "Your Interest in Advertising" on the air Feb. 17, the second for Feb. 23 on "How Advertising Serves."

## 'Chandu' Acting Scripts Sold to South America

Hollywood, Feb. 19. Station in Buenos Aires and Puerto Rico have bought scripts of the serialized "Chandu the Magician" from Earnshaw Productions here. It is to make one actors out of each two consecutive chapters, translate into Spanish and broadcast through live talent. Scripts are also to be used as basis for a 10-cent book to be published by Saffield Publishing Co. of Akron.

## Embarrassing

San Antonio, Feb. 19. Sudden failure of KTSA's power supply was under unusual circumstances. Col. W. B. Tuttle, presy. of utilities company which supplies station's juice, was waiting in the studio at the moment to make an air spiel.

## Huey Long Pal In on KOTN Ownership But Rumors Are Denied

Pine Bluff, Ark., Feb. 19. Local broadcasting station KOTN has changed hands. Articles of incorporation for the Universal Broadcasting Corporation have been filed with the secretary of state. One of the incorporators and directors is James A. Nos, of Monroe, La., who is said to be very closely associated with Senator Huey P. Long.

A report comes from Monroe that Long expects to use this station in a campaign against Senator Joe P. Robinson, but this is denied at the local station, it being claimed that nos buying into the local station has no political significance.

## JERRY KING ENTERS LIBRARY BUSINESS

Jerry King, gen. mgr. of KFWE, Hollywood, last week received a sub-agent's license from the Music Publishers' Protective Association. Contract allows him to collect for delay to the MPAA royalty fees that station clients of King's disc library service obtain when they sell these recorded programs to local accounts. Company that King has organized as a complete library service to NBC and the World Broadcasting System will be known as Standard Radio Advertising, Inc. Understood that Freeman-Lang, Hollywood, is also arranging to enter the library service.

King figures on having his service ready by April 1. He is offering a daily hour of program service, with a library of 300 units at the disposal of the client for the start.

## WGN Gets Lyons Show

Chicago, Feb. 19. Local NBC lost a new Dr. Lyons script show, called "Backstage Wife," to WGN, the Chicago Tribune station, when NBC asked additional charges for the show on its WGNR outlet.

WGN wanted additional coin for a sound-effects man and a platter-turner while WGN included most of this in its regular service. Show will start on Feb. 24 for a local test before possibly going network on the Mutual web. NBC particularly burned at this drop because figured it a chance of jumping from a local WGNR test to a blue network gallop. Deal was handled through Blackett-Sample-Hummert.

## Jack Dempsey on Air

Jack Dempsey is slated to discuss sports and plug his new restaurant over WMCA, New York on Friday nights. Program to be called Jack Dempsey's Round Table. Sam Taub and Angelo Pelange will assist him. Opening festivities of the new eatery were carried Sunday (17) from 8:30 to 9 p.m.

## Spot Rainbow

(Continued from page 37) business see the new rate structure of radio as the most favorable break since competition started. For years they have been the bulk of the big coin to networks on account of the rate differential. Now they expect to get a big chunk of the national pie. Stations and spot sellers are now pointing out that it'll be cheaper for clients to cover any territory with local shows than by network.

Daggett Ramsdell, cosmetic-making subd. of the Standard Oil Co. of New Jersey, is arranging to return to the spot broadcasting field with a campaign calling for the use of local live talent in 14 cities in the basic area and San Francisco.

# Spot Broadcasting Account

(Continued from page 37)

SPONSOR	AGENCY
Diamond Crystal Salt	Benton & Bowles, N. Y. C.
Digger (digger) Wells Water	
J. G. Dodson (Ironized Yeast)	Ruthrauff & Ryan, N. Y. C.
Dodge Bros (autos)	Ruthrauff & Ryan, N. Y. C.
Dr. Lyons (toothpaste)	Blackett-Sample-Hummert
Dr. Miles Laboratories (Alka Seltzer)	Wade, Chicago
Dr. Scholl (footpads)	Donahue & Co.
Dreznia Inc. (face cream)	
Drug Trade Products (medicinal)	Heath-Seehof, Chicago
Edwin Clear Co.	Gelles Agency, N. Y. C.
Emerson Drug (medicinal)	J. M. Mathes, N. Y. C.
Employers Casualty Co. (insurance)	
Ex-Lax (medicinal)	Jos. M. Katz, N. Y. C.
Fels-Naptha Co. (soaps)	Young & Rubicam, N. Y. C.
Feltman Curme (shoes)	Metrop. Adv. Co., N. Y. C.
Floresheim (shoes)	Fletcher & Ellis, N. Y. C.
Ford Dealers (motors)	McCann-Erickson, N. Y. C.
French Lick (Fluto Water)	H. W. Kastor, Chicago
Fruit Industries, Ltd. (wines)	Fletcher & Ellis, N. Y. C.
Gardner Nursery Co.	Northwest Radio Adv., Seattle
Garfield-Williams	Metrop. Adv. Co., N. Y. C.
General Baking Co. (Bond Bread)	B. B. D. & O., N. Y. C.
General Mills (flour)	Blackett-Sample-Hummert
General Motors (motors)	Campbell-Ewald, N. Y. C.
General Petroleum of Cal. (oil)	Smith & Drum, Los Angeles
Gold Dust (cleanser)	B. B. D. & O., N. Y. C.
Golden Peacock (cosmetics)	Ruthrauff & Ryan, N. Y. C.
Gooden Co. (tires)	Ruthrauff & Ryan, N. Y. C.
Hart Mountain Products (canary food)	
Hy Grade Sylvania Co. (radio tubes)	Cecil, Warwick & Cecil, N. Y. C.
Hopner, Inc. (harmonica)	Atterton & Currier, N. Y. C.
Household Finance Corp. (finance)	Frey & Ayvayad, Chicago
Indo-Vim (motors)	Brooke-Smith & French, N. Y. C.
Indo-Vim (medicinal)	
International Hair Scalp	Buchanan-Thomas, N. Y. C.
Kalamazoo-Store Co.	Palmer, Chicago
Kellogg Sales Co. (cereal)	N. W. Ayer, N. Y. C.
Kellogg's Toothpaste	Blackett-Sample-Hummert, N. Y. C.
Kuppenheimer & Co. (clothing)	Direct
Knox Co. (cystec)	Dillon-Kirk, Kansas City
Lancaster County Seed Co. (seed)	C. F. Kern, Philadelphia
Lever Bros. (Lifebuoy)	Ruthrauff & Ryan, N. Y. C.
La Gerardine	H. E. Lisan, N. Y. C.
Marysville (coffee)	McCann-Erickson, N. Y. C.
McCormack & Co.	Van Sant, Bugdale, N. Y. C.
Midland Flour	Potts-Turnbull, N. Y. C.
Minwater Crystal (medicinal)	
Moon Glow Cosmetics (cosmetic)	Emil Brisacher, San Francisco
Morton Mung	Erle Racen, N. Y. C.
M. J. B. O'Brien (coffee)	Lord & Thomas, San Francisco
National Voice	White Biddick, Los Angeles
Northern King & Co.	Olmead-Hewitt, Minneapolis
Norwich Pharmaceutical (medicinal)	L. C. Gumbler, N. Y. C.
Nourishine Hair Tonic	Mellor, Los Angeles
Nujol-Salaco Co. (medicinal)	McCann-Erickson, N. Y. C.
Nunn, Bush & Weldon (shoes)	Direct
Nu-Enamel (paints)	Carpenter-Rogers, Dallas
Oakland Chemical (Diogenon Cream)	
Oleomulsol	D. F. Brothers, Detroit
Orbit Chemical Gum	Black-Gobel, Chicago
Parkap Lab (medicinal)	Rogers-Smith, Chicago
Pathfinder Magazine Co. (publication)	
Partola Products	Churchill Hall, N. Y. C.
Pennoll	Frank & Rose, N. Y. C.
Pepsi (radio)	Mayer Co., N. Y. C.
Phillips Petroleum (oil)	Hutchins, Philadelphia
Pioneer Maple Syrup (syrup)	Lambert & Feasby, N. Y. C.
Planters Co. (peanut oil)	McCord, Minneapolis
Postum (beverage)	Badger, Browning & Hershey, N.Y.C.
Pure Seal Co. (plstone)	Young & Rubicam, N. Y. C.
Pure Seal Co. (draft)	McCann-Erickson, N. Y. C.
Pure Milk Dairy (Golden Pure Cheese)	H. W. Kastor, Chicago
Raladam (Marmola)	
Rid, Murdoch & Co. (coffee)	K. W. Kastor, Chicago
Richfield Oil Co.	Fletcher & Ellis, N. Y. C.
Rokay Talcum Powder	Rogers & Smith, Chicago
San Antonio Brewing Assn. (Pearl Beer)	
Scott & Bowen (Scott's Emulsion)	
Sears-Roebuck & Co. (mail order)	Frey & Ayvayad, Chicago
Silver Dust (cleanser)	B. B. D. & O., N. Y. C.
Skelly Oil	Ferry & Hanly, N. Y. C.
Smith Bros. (cough drops)	Hommann, Tarcher & Sheldon, N.Y.C.
Sperry Flour Co. (flour)	Westeo, San Francisco
Slingerland Banjo Co.	Direct
Standard Oil of N. J. (oil)	McCann-Erickson, N. Y. C.
Strassbaker (motors)	Roche, Williams & Cunningham, N. Y. C.
Suakka Laboratories (medicinal)	Smith & Drum, Los Angeles
Union Station & Refining (Pennant syrup)	
Union Publishers (publishers)	
Universal Mills (flour)	Tracy-Locke-Dawson, Dallas
Venita (Relsor Co.) (hairnets)	Donahue & Co., N. Y. C.
Ward-Baking Co. (soft bun)	Fletcher & Ellis, N. Y. C.
Watch Tower (religious)	Royal-Soats, N. Y. C.
Watkins Co. (shampoo)	Blackett-Sample-Hammert, N. Y. C.
Way Chemical (chemical)	
Welch Grape Juice Co. (beverage)	H. W. Kastor, Chicago
White Sewing Machine	H. W. Kastor, Chicago
Willard Battery Service (battery)	Meldrum & Fewsmit, Cleveland
Willard Tablet Co. (medicinal)	First United Broadcasts, Chi.
Wyeth Chemical (drugs)	John F. May, N. Y. C.
Zonite (antiseptic)	McCann-Erickson, N. Y. C.

All details as to programs and time setups in the various towns are still in process of discussion, with the placements slated to be cleared through McCann-Erickson. McCann-Erickson has already had submitted to it by selected stations in most of the towns lists of available local talent, including prices. Agency and the account have yet to decide whether the picking of the programs will be done by mail or through a McCann-Erickson rep delegated to visit each of the cities.

Rochester, Feb. 19. Pathfinder Magazine is sponsoring the Hank and Herb Old Times program of WHAM, for three weeks' trial with option for a long contract. Old timers, Jack Lee and Gene Lane, former stage-players, are in their third year with this program over WHAM.



# 1,000 Words of Spiel Arbitrary Limit on Baseball Sponsorship

Chicago, Feb. 19. Local radio stations gave baseball additional promises and favors in the new contracts signed between the Chicago Clubs, owned by P. K. Wrigley, and the several local transmitters. Those stations which contracted with the Cubs were WBBM, the CBS outlet; WGN, the Chicago Tribune station and WJJD, the Ralph Atiles transmitter. New deal gives the ball club almost complete authority over the sponsors and the type of commercials these sponsors may use.

**Brevity Clause**  
New contracts limit the amount of commercialism on the pick-up. Deal clearly states that there must be no more than 1,000 words of commercial copy in the entire broadcast of any one game. And that there must be no more than eight commercial announcements during the game, there may be fewer than eight but no more. Which means that each announcement would be limited to about 125 words to make up the 1,000-word total.

Contract also states the procedure must be used to introduce each advertising spiel. Advertiser must give a deep bow and shout to the ball team and to baseball in general. The fare would go something like this: 'This game is being brought to you through the co-operation of the Chicago Cubs, the New York Giants and the General Mills Company. The game is being brought to you in the interest of the national sport everywhere; here and in your own home town.'

That last crack about 'your own home town' is Wrigley's own idea to bring the outlying towns closer to radio since it is in the smaller towns where the resentment against baseball is greatest. It is expected that during the course of the season the announcers will specifically mention the various smaller towns in this vicinity, the Rock Islands, Duquenois, Peoria, Duquenois, Kalamazoo and tell the listeners in those towns to patronize the home town ball park.

## HEARST STATIONS EXCHANGE SCRIPTS

Hearst radio stations begin an interchange of program scripts on March 5. There will be no line charges or direct hookup, as each station will use its own staff in presenting identical programs. Hour of broadcast will be 4 p.m. local time on each station in spite of the different locales.

First program will be credited to KYA, San Francisco.

WINS, New York, has not selected its program as yet, but probably will be a dramatic sketch, possibly 'The Fall of the House of Usher.'

## New Faces at WFL

Philadelphia, Feb. 19. Last minute additions at WFLP today (Tuesday) usher in a chief announcer and a studio production assignment landed by Al Stevens, for four years in this chore at WCAO, Baltimore. Claude Morris, exp-producer of KDKA, Pittsburgh, gets the other task here.

Both began duties at once.

## In and Out at WBAL

Baltimore, Feb. 19. Jerry Moore, who joined WBAL sales yesterday (Monday) comes from commercial management of WMAL, Washington. At one time Moore was commercial manager of WCAO, Baltimore.

Garland Tinsley, who has been chief salesman of WBAL drops out March 1.

## Coast Pundit Switches

Los Angeles, Feb. 19. G. Allison Phelps, who has been conducting a daily philosophy hour on KFEB for five years, switches to KFWB.

Phelps is being commercialized by the May Co. local department store, with program cut to a half hour in the new spot.

## Ferguson Joins G-B-S

Chicago, Feb. 19. Gene Ferguson has joined the Great Blair & Spight station report here.

Will devote himself exclusively to the job of selling accounts for the Southwest regional web. Had been associated with KTSB, San Antonio, KNOW in Austin and KPRC in Houston.

## OFF-KEY CREW GETS 3RD WEB SHOW

Simon pures take another decision over the pros commencing Feb. 24, when 'Tastyest' turns over its Sunday, matinee NBC program over to amateurs. Entire present cast, excepting Reggie Childs' orchestra, goes off.

Stack-Gable, agency handling 'Tastyest', had announced intentions of replacing its comedy show headed by Sam Hearn with a novelty idea, decided on an amateur affair, which through constant usage has ceased to be a novelty on the radio.

In addition to Hearn, those going off the show to make way for the amateurs include George Beuler, Betty Jayne and Alice Frost. 'Tastyest's' will be the third major network amateur show, others being Fred Allen (Bristol-Myers) on NBC and Ray Perkins (Health Products) on CBS.

Toledo, Feb. 19. WSPD Saturday midnight jamboree has gone highbrow from the stage of the Rivolt theatre.

Theatre's 30-piece orchestra directed by Earle Karg and other stage acts substituted for the amateur jamboree, given a free hand in the jamboree programs.

## Providence, Feb. 19.

Bamby Amateur Radio Show sponsored by New England Radio WPRO, Providence, every Saturday night from 9 p.m. to 10 p.m., before a visible audience still remains the bright spot in local broadcasting.

Housewives are turned away from the theatre-unable to get in. The Metropolitan has a seating capacity of 3,300. Miss Beatrice Forster is handling the counting of the ballots, and tent applications. Increase in voting by listening audience mount with each broadcast.

Paul Oury, station director, is acting as master of ceremonies with William Koster, program director.

## Bridgeport, Feb. 19.

Amateur show tie-up between WICC and three Warner Brothers theatres in Norwalk, Danbury and Ansonia seems to benefit everybody except the radio listener. Contests bring S.R.O. business to the theatres but by the time the theatre winners get to the air the results offer the prizes to the losers.

Probably by matter of amateurs who enter prizes before visible audience in theatres not having the requisite talent to click on the air.

## Burlington, Vt., Feb. 19.

Malita Putnam, vocalist, who has just opened a school of music expects to have a training ground for pupils at station WCAX through an event would hand out a temporary injunction when the cut back to 50 k had become an accomplished fact.

Station is interested on the talent source angle which is a problem in Vermont. Desire of WCAX to frame an amateur stanza stems from the station's hunch that it can be peddled commercially.

## Montreal, Feb. 19.

CKAC joined the throng last week (14) when inaugurated its local amateur program. Phil Lafonde, station manager, rates stunt as clicking.

Mail response very large.

## Leo Le Sieur organizing Imperial

Club in Montreal over CKAC and CHLW with 25-piece orchestra, Henri Miro conducting.

## Canada and WLW

Montreal, Feb. 19. Canadians in general appear to like the WLW programs in preference to the programs of Canadian stations. These are criticized as poor in quality which when combined with weak or uneven signals has made it possible for the Cincinnati station to cop away listeners.

As to the merits of the claim that WLW affects the signals of Canadian stations, that is for the engineers. Meanwhile it is a fact that Ottawa cannot be heard 100 miles away in Montreal and Toronto is seriously affected. Stations further west have been smothered also, it is understood.

Patriotic motives coupled with the loss of commercial audience may have prompted the Government's protest to the American State Dept. which in turn referred the matter to the Federal Communications Commission. But whether WLW is the cause or not, the conditions in the Dominion are very unsatisfactory at present.

With a change of government possible in Canada late this year, it is understood that the Canadian-Radio-Commission may be abolished. It indubitably has many enemies who would enjoy bringing in a death verdict.

## FCC UPHOLD; WLW MUST CUT POWER

Washington, Feb. 19. Crosley Radio Corp. lost the second round of its fight to continue using 500,000 watts for night operation of WLW Monday (18) when District of Columbia Court of Appeals decided against order blocking Federal Communications Commission power-cut decree.

With its announcement today (Tuesday) that there would be no written decision in the case, appellate tribunal has left the WLW lawyers hanging on a limb. Without a decision upon which to base their argument, the latter cannot see how they can appeal the case to the Supreme Court and obtain a reversal of the Commission decision which was reached after strong protests from Canada and under pressure from the State Department.

Power cut is slated to go into effect today (Tuesday). Supreme Court appeal would have been taken if the appellate court had ruled in the WLW's favor, but the general consensus of opinion was that the court would take the view that the Commission was not bound to grant a hearing before revoking the temporary experimental authorization. Fundamental issue will come up for thorough examination. It was noted, when the Commission holds its hearing on WLW's application for a regular license, that it is instead of merely an easily-revokable special permit.

**Little Chance**  
Even if further appeal is sought, Crosley stands virtually no chance of getting a stay order which will permit continued operation with 500 kw until the final policy is established. Pointed out that lack of time between date of Commission reduction order and time of taking next court step makes it impossible to block the power cut. Attorneys doubted that Supreme Court, in an event would hand out a temporary injunction when the cut back to 50 kw had become an accomplished fact.

## NBC SINGERS BOOKED FOR CIVIC EVENTS

Two NBC singers, Ralph Kiberry and Bradley Kincaid are signed for midweek appearances at various civic events during the month. First headlines the entertainment at the Canton auto show on Feb. 26 at \$750 for the week. Kincaid goes to Akron on Feb. 24 to sing at the Little Fund exhibit for \$400. Both booked through Sam Ross.

# If Theatres Shake Blue Losses Pennsylvania Radio Fears Loss Of Its Big Sunday Audience

## European Radio Fun

Berlin, Feb. 19. Memel-Lithuanian-Germano radio war still raging. No casualties, but plenty busted ear drums. Lithuania sent up disturber preventing Germans in Memel (under protectorate of five powers) hearing either Kiengenberg or Dantzigs stations. German amateurs retorted with Morse signals and catcalls on Lithuanian sender's wave length.

## LOCAL COMEDY SCARCE IN BALTO

Baltimore, Feb. 19. Balto has probably had a unique niche in radio for past two years, since during that time there has never been a local program of any sort, commercial or sustaining, or even accidental, that has employed the talents of chatter comedians or even gag gurglers. Whatever humor has been handed out over here from a local source has been entirely misinterpreted; if any listener got a chuckle out of something heard on a local program, whatever supplied the laugh wasn't meant to be funny.

Reason advanced by local stations is that good humor and good comedy aren't available here. Can't find 'em for sustaining stints, and can't afford to pay 'em what they demand for commercials. What is available has long since been dropped from the wave-lengths after try-out periods that didn't seem to particularly divert—listeners—and hence were besieged by letters calling for the hook.

Situation, however, will shortly get a facelift. WBAL, since Hearst has encamped on the scene, is going to attempt to restore chatter acts and gag gurglers locally. Priming new program that will air daily around lunch hour; will have both comedy and musical interludes. Tag plastered to program, a sustainer, in 'High Noon, High Jinks.'

## CLEVELAND LOCALS SPREADING ON WAX

Cleveland, Feb. 19. 'Slim', a reducing compound made in Cleveland, will hit the radio discs in April with a view to expanding its market outside Cleveland. WJAY is credited with building 'Slim' from scratch into a \$52,000 gross its first year. Product has never used any other medium but radio.

Another Cleveland pharmaceutical product scheduled to step from WJAY to wider markets through waxes is Paracelus. Sponsor credits radio with 100% sales boost.

## WOR Ceremonies Mar. 4

WOR, New York, has set March 4 as the dedicatory date for its new 50,000 watt transmitter. Celebration will consist of a two-and-a-half-hour program originating from Carnegie Hall.

Stations allied with WOR in the Mutual network will each contribute a greeting routine to the broadcast.

## Grofe Scoring for Armo

Cincinnati, Feb. 19. Ferde Grofe is doing a special arrangement each week for the Sunday night broadcasts over WLW by midweek appearances by Frank Simon. Addition of 10 men increases personnel of band to 55.

American Bandmasters' Association convenes here March 8 to 10, on closing night, several of its prominent members will be guest artists on the Armo program.

Lancaster, Pa., Feb. 19. With open Sundays for Pennsylvania apparently just around the legislative corner, more or less consternation is reigning among radio stations in this section. Program re-vamping, added commercial pressure and changed studio policies are all likely before the theatres get the nod from the Capitol.

Sunday is now rated as the best listening day for most stations, with sponsors selecting it in preference to remaining silent. It has also been established as best possible for double selling on furniture and similar heavy commodities where husband and wife go into a huddle before parting with the purchase.

All this, the radio people are afraid, will be changed when shows open after church is over and start pulling out the listeners. Putting a purpose in going somewhere Sunday will likely cut radio listeners and consequently, radio results by one third, which is more of a rap than the sponsors may be willing to absorb.

## Better Programs

'We're going to fight to hold the business' said Hines Hatchett, manager of station WGAL here, although the outcome of the battle may not be everything we expect. We realize we're going to take it on the chin as an industry unless we can overcome the appeal of other forms of Sunday entertainment.

With this in mind, we're suggesting better talent, variety of our Sunday day sponsors and will match their reaction with better sustaining programs. A drive will be launched to sell Sunday up tight.

In addition to attempts to hold the Sunday business, which authorities believe will probably suffer due to the novelty of an open Sunday and then recover after about six weeks, a series of test programs will be aired at various times throughout the week aimed at getting double reaction from homes and measuring other periods when the radio is frequently on.

## CLUBWOMEN LAUNCH WESTCHESTER COWBOYS

White Plains, Feb. 19.

Boardsdale Woman's Club, bent on bringing new radio to the attention of children, has shifted its program from WFAS (local) to CBS for a network hearing. Group is opposed to the current kid radio broadcast, which frequently dip into clutching bad tactics.

Club's first try at radio was over WFAS with a historical playlet, essayed by two characters and a narrator. All members of the club. A bad production held up the proceedings. One time a boy's role had to be done by a woman which did not lend authenticity to the broadcast. Club's method of gauging audience reaction was to circulate printed cards, beforehand with directions to write in later.

Following this, the club comes endeavoring to make a deal with WMCA for ABS coverage, but had to defer its program when that connection dissolved. Now it is down to present a 15-minute spread over WOR.

## Providence Dept. Store Uses All Local Stations

Providence, Feb. 19. Callender, McAulsen & Troup Co., owners of The Boston Store here, is the first commercial sponsor to use all radio stations in Providence simultaneously. Has just renewed contracts for another month.

Program is a 15-minute shopping tour on a three weekly morning show from 10 to 11 a.m. over WPRO, WVEA, WJAR are the stations being used. Dorothy Lovett of WPRO, who conducts the WPRO Cooking School, and a Fashion Models school, several of its members have been loaned to the Boston Store for broadcasts.





## FCC's Washington Hearings

Hearings on more than a dozen requests for new stations, power boosts and frequency shifts were ordered last week by the Federal Communications Commission. Erection of two new transmitters and increase in power for existing station were authorized.

New stations will be at Milwaukee and Lake Charles, La., both one-way. Milwaukee Broadcasting Co. will use 1310 channel while Calcasieu Broadcasting Co. in Kingsland will use 1500. Power boost goes to WAGF, Dothan, Ala., which will jump days from 100 to 250.

Cases slated for hearing include: P. A. McBride, Ironton, O., new station 1500 kc 100 watts; KOL, Seattle, Wash., increase day from 2½ to 5 kw; KOOL, Marshfield, Ore., change frequency from 1200 to 1390 kc; WBCM, Bay City, Mich., increase day power from 500 to 1 kw; KVL, Seattle, Wash., change frequency from 1370 to 1070 kc; KTPT, Twin Falls, Ida., change frequency from 1240 to 1370 kc; KFCG, San Francisco, increase night power from 1 to 5 kw; Head of the Lake Broadcasting Co., Virginia, Minn., new station 1570 kc 100 watts; WEBC, Superior, Wis., increase power from 1 kw night and 2½ day to 1 kw night and 5 day; WMBG, Richmond, Va., shift frequency from 1210 to 1350 kc and boost power from 100 night and 250 day to 500; KRCG, Houston, Tex., special authority to increase night power from 1 to 5 kw; KMAC, San Antonio, Tex., shift frequency from 1370 to 940 kc and increase power from 100 to 1 kw; Centennial Broadcasting Corp., Dallas, Tex., new station 1200 kc 100 watts; and Harold Reith, Goshen, Ind., television station.

## New Applicants

Raft of new applications filed during week included: Morton S. Zalkow, Lakewood, O., 1500 kc 100 watts; Florida Capitol Broadcasters, Inc., Tallahassee, Fla., 1310 kc 100 watts; Hearst Radio, Inc., Albany, N. Y., 970 kc 1 kw; Pampa Daily News, Pampa, Tex., 630 kc 100 watts; G. D. Goff, Tampa, Fla., 1500 kc 100 watts; Evansville on the Air, Inc., Evansville, Ind., 1370 kc 100 watts; Amon G. Carter, Fort Worth, Tex., 970 to 5 kw; A. R. Montgomery, Findlay, O., experimental broadcast 1570 kc 1 kw; and Lawrence B. Holzman, Atlanta, Ga., 590 kc 250 watts night and 500 day.

## Signals Strengthened

Power increases: WIOD-WMBF, Miami, Fla., from 1 to 5 kw and also to shift frequency from 1500 to 870 kc; WRJN, Racine, Wis., day from 100 to 250 watts; WDGY, Minneapolis, Minn., increase from 1 kw night and 2½ day to 1 kw night and 5 kw day; KGIX, Las Vegas, Nev., from 100 to 250; KHQ, Spokane, Wash., from 1 kw night and 2 kw day to 1 kw night and 5 kw day; KJR, Seattle, Wash., from 5 to 10 kw; and WKX, Thomasville, Ga., from 100 to 250 day.

Miscellaneous applications included request of WTAZ, Springfield, Ill., for facilities of WGBS, Springfield, which simultaneously asked for shift from 1210 to 1420.

## Inside Stuff—Radio

Some 18 months of VARIETY's grosses showing Ted Lewis' box office biz in the key cities was submitted as part of the presentation made in behalf of Lewis to the American talent pool.

Admittedly expert as a stage show band, his musical problems were offset by Billy Murray of the William Morris agency by showing that the (1) his disks sold well, and (2) that a ready-made national audience awaited Lewis, as witness the b-o.-figures.

French fans are getting more and more angry over programs being announced and never coming through. "Temps des Merveilleuses," a revolutionary operetta, was to have been broadcast last week from Radio Paris, and was dropped without explanation. Then the Opera Comique announced it was sending "Follies and Melodrama" from the same outlet, but all the listeners got was a bit of music from Vienna. Few days later, Paris P. T. announced a program of chamber music and broadcast something entirely different.

Bromberg-Carlson Company, operators of WHAM, Rochester, N. Y., has established an experimental transmitter, WXXA, to broadcast over a wave length of less than 7½ meters. While this is out of range of most present receiving sets, engineers say it may be the answer to the problem of crowded air channels. These ultra-high frequencies have some of the characteristics of light and can be transmitted in the form of a beam in any desired direction.

Salt Lake City is one of the traditionally Republican cities in the United States where efforts are afoot to have new stations under Democratic auspices established. Orman Ewing, former Democratic state chairman, is seeking license for one or two transmitters there. Up to now the Utah station, KSL, seems to have been successfully argued that the radio service for the Utah metropolis is adequate.

Earl Gluck, manager of WBOC, Charlotte, speaking on "The Human Side of Radio" before a Charlotte civic club, told of two production tragedies: A patent medicine program carried the song, "I Wish You Were Dead, You Rascal, You"; and a radio retailer's program was allowed to carry "Nobody Knows the Trouble I've Seen" sandwiched next to the blurb about how good the sets were.

Baltimore Catholic Review, church news weekly circulated in Baltimore and Washington, will deputize a staff man versed in a couple of foreign languages to keep tabs on Church affairs in Europe by tuning in short-wave on the Continental broadcasters. Only events with an ecclesiastical angle will be culled from the short-wave news dispatches and translated into the Review's pages.

Madrid, Spain, in co-operation with EAJ 7, is making a daily plea to listeners to tune down sets after 11 p.m. Says the lessening of the volume "will permit thousands and thousands of Madrileños get much-needed rest." Anti-noise campaign is in connection with a drive to silence all motorcar horns from 1 a.m. to 7 a.m.

Mexican patriotic organization has petitioned its government to establish monthly tax of 28 cents on all radio apparatus throughout Mexico to raise funds for national defense. Government's considering.

John McCormack's salary in radio is \$2,500 a broadcast when the contract involves a commercial series. Last week singer was quoted as getting \$1,500 for single appearances. Those singles are reliably reported as at \$3,000.

## Heatter's Double Renewal

Gabe Heatter, whose daily comments on the Hearst radio trials were sponsored by two firms over WOR, New York, has been extended by the Grove Laboratories, keeps him until April 1.

Tastyest, whose contract expires this week, has re-signed Heatter for a period of 52 weeks. This account airs at 1:15 daily.

## Kay Foster's Personals

Kay Foster placed under contract by NBC as a singer for sustaining programs three times weekly, is being permitted time out for stage personals.

After playing a week at the Met, Boston, going off the air for that, Miss Foster went back on the air waves over WEAF, N. Y., Friday (15).

## ANYTHING BUT CUSSING

WBZ Molifies G.O.P. with \$195 Time Donation

Boston, Feb. 19. Station WBZ will donate \$195 worth of free time to the Republican party here over the week. This is to keep the station on a neutral basis and to calm the peevish Republicans who chafe at radio slaps delivered them by Dick Grant, ex-radcliffe and now secretary to Governor James M. Curley.

New period has been labeled the Radio Fair Play Forum." No editing by WBZ. Anything goes except cussing.

## CRCW-CKLW AS MIKE AND IKE

Detroit, Feb. 19. Canada's newest radio station and the latest link in the chain of the Canadian Radio Commission network, took to the air last Thursday (14). New station's call-letters are CRCW. Located in Windsor, Ontario, across the river from Detroit: Wave-length is 800 and will operate on 1,000 watts daytime and 500 watts night.

American talent working on inaugural program included Roceco Adams, screen comic, Sam Jack Theatreman, and from the Fox Theatre, Detroit, and talent from WSPD, Toledo, and WYVA, Wheeling, West Virginia.

Announcements were made in French and English and originated in the studio of CKLW (George Siver's station). CRCW-CKLW setup is broadcast, two stations will use the same studios, the same announcing staff, the transmitters are within a few feet of each other and the master controls are assembled in the same engineering panel.

Reason for station is to furnish western Ontario with commission broadcasts, which are in the main, mostly musical, religious and educational, with the advertising to follow. Heretofore, CKLW supplied this area, through its Columbia programs and the Detroit station WXYZ carried a few of the Commission broadcasts. In turn, were piped out to its affiliate, the Michigan Radio network.

## WFIL's 18-Man Offer Spurned

Union Surprises Philadelphia by Rejecting \$70-a-Week Staff Jobs

Philadelphia, Feb. 19. One of the most incongruous situations yet recorded in local radio here involves the current attempt of WFIL to install a minimum 18-place house unit.

Studio applied to the Philly Musicians' Union several weeks ago, voluntarily, to employ the group under a reported \$70 weekly fee, to include both sustaining and commercial shows on a 30-hour week. Action was unprecedented in this territory where the Union's major clash has generally been to install any music at all.

Meanwhile, the Local's executive committee, ruling on the application, sent it back to the manager, Don Withycomb, with a request for a \$20 increase. Withycomb flatly refused any further negotiations and decided to build a program scheduled without the use of any studio bands. Musicians have been filing in and out of Union headquarters directing complaints at the Executive body, while other talent are fuming because the lack of a studio band is preventing a more comprehensive and profitable program schedule.

Incongruity lies in the fact that house band requirements for WFIL, a 1 kw outfit, can be limited to eight men at the original cost of half of the station's original outfit.

Action of WFIL in offering to guarantee 18 musicians' salaries until Aug. 1st represented an attempt to properly build its program. The Union, however, pointed out that the policy of paying all sustaining talent is being strictly adhered to, and the Union's refusal of what he terms a "purely unrequited offer" is depriving musician's and

## With Talent Fighting Before Start, Lewis-Rockwell Show in Up roar

## FRANCE IS BACKWARD

1,630,000 Radio Listeners Small Beside Germany

Paris, Feb. 19. Radio census shows only 1,630,000 listeners in France, against 4,143,000 in Germany and 4,474,000 in England, and the French are disturbed over their backwardness.

Question arises whether reason is because good sets cost so much more in France than in other countries or because French broadcasting is so wretched. Defenders of local radio say it's because the business only started to get organized in May, 1933, and it's too soon for it to have made the rapid progress in neighboring countries. Besides, France has only three powerful outlets, whereas Germany and England have nine each of 50 kw and over.

## \$10 Monthly Assessment Plus 15% Commish Is Chi Sales Rep Idea

Dubuque, Ia., Feb. 19. Bert Horswell Co., Chicago radio agency, is trying to tie up a corn belt group of stations along lines that a Wisconsin outfit now operates. Plan as outlined is to assess stations seeking representation \$10 per month for overhead plus usual 15% commission on all time sold, standard rates as minimum for single, or group time. Agency would use station stationery.

In seeking to garner enough Iowa accounts to sell the corn belt as a group.

## WBN's Brooklyn Acc't.

WBN, New York, switches its Michael Bros. account from its main studio to its Brooklyn unit. Commercial is a borough arm and is the first major sponsored hour to be carried regularly from the auxiliary station.

Mayfair House is the title of the once-weekly broadcast.

It is understood the Union's contention is that WFIL will use the eighteen men as a maximum unit to control all commercial broadcasting, limiting musician's employment there to that number. On the other hand, the studio avers that a complete weekly schedule will require much more than this group and that further a 30-hour week will not suffice. Consequently, overtime on an average week will cover the requested \$20 increase. Station brands the Union's ultimatum that it use the 18-place unit as a group for all programs as 'impractical,' nor will it credit split parts of the band with work they have not actually done.

Local Union has been endeavoring for some time to place house units in each radio station. Campaign has only met with a modicum of success. President was established last fall when WCAU hired a 10-piece crew at scale prices for daytime operations, sustaining only, and using a single leader. This was acquiesced by the fact that WCAU carried chain throughout the night making a house band unnecessary then. However, the WFIL pattern of using a musician's staff at the best of program requirements, as done by the network, raises a situation not met by the Union here before.

At this writing no further decisions on WFIL case are expected before March. Singers and actors foresee that an acquiescence by the Union to the station may eventually mean prosperity that never dawned before, and cannot understand what all the shooting is about.

Ted Lewis, withdrew yesterday (Tuesday) from the program with Goodrich Tire has slated to debut March 8 on the NBC blue (WJZ) link when the agency on the account, Ruthrauff & Ryan, refused to agree to his demand that he receive, to billing in the show's newspaper advertising. Lewis' decision to call all bets off came as an anti-climax to weeks of bickering involved also the question of who was to have supreme authority over the production's music and whether Leopold Spitalny, who auditioned the original program, was to be retained as the unblinded musical director.

Arrangement as originally submitted to the commercial had the billing of the show split equally between Lewis and Doc Rockwell. After Lewis' drop from the program, Rockwell averred that he would rather not work on a show where it was evident from the start that the principals would not get along. Agency refused to consider his request, and insisted that he stay.

Wrangle involving Spitalny developed when Lewis demanded that he wanted some one other than Spitalny to take charge of the musical preparation of the show. Spitalny refused to quit, claiming that Lewis had originally agreed to pay him \$1,000 out of the total. Lewis was to get for arrangements and his concertmaster services. Deal with the account also stipulated that Lewis take care of his orchestra, standby men and a mixed chorus out of the \$4,000.

Heated William Morris office, which booked Lewis' brought the matter and the agency reps together for a final discussion of the issues Monday afternoon (18). Argument at one point grew so bitter that Lewis' lawyer and manager, Harold Gumm, and a Ruthrauff & Ryan representative, but were prevented from landing any blows when others present intervened. Meeting broke up with the understanding that Lewis would deliver his final decision today (Tuesday). Through the Morris office Lewis informed the agency that since he felt that he could not be sure of the program he had decided that he could not under any circumstances go through with the Goodrich connection.

Ruthrauff & Ryan office was satisfied, and the agency was substituted band name. Among those being considered were Victor Young and George Olsen, with Ethel Shutta in the latter case included.

## PITTSBURGH GLASS SEEKS LOCAL TALENT

Chicago, Feb. 19. Pittsburgh plate glass and paint company will go on the ether on March 18 for a wide campaign throughout the country. Will use discs and local talent on some 25 stations. Tie-up has been made between the N. W. Ayer agency and World Broadcasting on the recording and placing of the discs. Wherever the discs are not spotted the account will use the Mutual system.

In-person shows so far set on WCCO, WDAF, WBS, WFAA, WTMJ. In general the disc shows will be on somewhat smaller stations, which are not generally tied up with exclusive representative outfits. On all stations it will be a five-times-weekly shot and will run for eight weeks on a spring clean-up and touch-up campaign. The show will also be spotted on the Mutual system.

Howard Rose of the agency, and H. B. Alley, of the Pittsburgh paint company, are now circling around the country picking the talent for the in-person programs.

Doc Young, WDGY owner, is proudly trotting out 36 pictures which he took during the recent partial eclipse of the sun. Took off to the top of Sugar Hill at 9:15 a.m. Reaching an altitude of 3,500 feet, he started grinding his Leica camera and his Folmer grafex aerial mapping camera.



# RADIO SHOWMANSHIP

(Stunts, Tie-Ups, Program Novelities)

## Outstanding Stunts

**DOLLAR BILL SURPRISE**  
WMAZ, MACON, GA.

**TYDOL-MARANVILLE GAG**  
WHGG, ROCHESTER

**Overcoming Lasezette**  
Macon, Ga.

Station WMAZ borrowed a stunt from the vaudeville comicality of using a revolver just to see the audience is paying attention. Just to make sure that the 300 odd persons on the mailing list for the station's weekly bulletin were reading it Wilton Cobb inserted crisp dollar bills at random into the number of the bulletin. While the news got around the station got 100% circulation!

**Tydol-Maranville Stunt**  
Rochester.

Walter (Rabbit) Maranville, veteran second-bananas who expects to return to the baseball with this spring with the Braves after breaking leg in sports 1934. Last year, has been appointed a gas station manager as a publicity stunt. He broadcasts daily for Tydol over WHGG.

He chats of his experiences in his long career in the big leagues.

**Deviled Steak Clamor**  
Cleveland.

WJAY copped itself standard of mouth publicity and took a bow when the station interviewed a stunt member of another station. WJAY on a radio program and got 1,287 housewife letters.

Larry Heller of WHK offered a prize for devils. Heller of WJAY with the response causing him a postage stamp problem.

**Love's Blindness**  
Dubuque, Ia.

Screwtest question of an inquiring reporter: "Why do you close your eyes when kissed?"

Spotted in the downtown sector over WKBB's transmitter and given advance publicity, the program of the story, sponsoring the program with practically all the goos trying to get to the mike for a word.

Stunt demonstrated that, asinine questions are hotter for attention in advertising than the other live current events or items of local interest.

**Paris Style Trend**  
New York City.

French government places a taboo on fashion. NBC, after the spring openings due to the keen competition existing between the various Parisian style centers. This broadcast by Carmel Snow for U. S. audiences only beat the regular press bureau to a first-hand resume of the latest. Carmel Snow is editor of Harper's Bazaar in Paris. Program was ballyhooed heavily by NBC and department stores and smaller shops tying up with the program display.

Many places arranged their early spring fashion reviews in conjunction with the program. The program has listening groups and also spread the word around. Broadcast at 8 p.m., which made it 8 o'clock in the evening on the other side. Originated from studios of Radio Coloniale, Paris.

**Not Helping the Enemy**  
Burlington, Vt.

Burlington Daily News, although granted permission by the City Fathers several weeks ago to install a mike in the city hall, is delaying action until after the March election.

It is feared that the present occupation of the city hall might get favorable publicity over the air and the News is opposed to his policies.

**Parent-Teachers' Anniversary**  
Dubuque, Ia.

Commemorating the thirty-eighth anniversary of the founding of the National Congress of Parents and Teachers, the Iowa radio broadcast radio as its medium this week. WKBB opened its mike to members of the Iowa Parent-Teachers Association. Des Moines: KFJB, Marshalltown: WMT, Waterloo: WOI, Ames: WOI, Iowa City: WHIO, Des Moines: WOC, Davenport: KOIL Council Bluffs, and other stations throughout the state. Programs were limited to talks and music.

**Fishermen's Advice**  
Boston.

WHDH, Boston, has inaugurated additional radio service to fishermen at sea in its 10-minute broadcast of market news direct from Fish Pier, Boston, daily (10:50-11:30). Since 1928, when station was WFEBS fishermen have been getting regular radio reports which include

fish market prices, notices of arrivals in port, birth and death notices, as well as special messages from families to fishermen.

Other periods are 10:30-10:50 and 4:30-4:45. In the summer the boys on the Banks get an extra ether service at 8:15. The program manages the station gives fishermen transcriptions, of which bill-billy numbers are faves.

**WIP-Ledger Are Pale**  
Philadelphia.

With Philly dailies sans ether scribes and most sheets definitely adverse to radio, WIP has tied in with the Public Ledger on one of the best space-grabbing stunts in the paper's history.

Station, using its kiddies gabber, Uncle Wip, has concocted an Evening Ledger Commemorative for kids on Washington's Birthday. The event is getting quarter-page spreads regularly on the paper's radio page, which is a miracle in itself.

Radio works around a game called "Tummy-Pain Detective." Sheet's promotion ad advises kids to tune in Uncle Wip each night, and he will ask them to look for and mark a comic character saying or doing something special. After the young-uns have saved three of the tickets they mail the complete set to the broadcaster and receive a free invoice to the party. If correct the "clues" are soft because the kids in the tender age, but the ad puts the party in the paper.

The party will be exchequered by Gimbel Brothers, who also share free publishing, so it's a tie-up with the store, station and paper reaping respective harvests.

**Colorful Police Sergeant**  
San Antonio.

Now in its sixth year, KONO and a daily pick-up from police sergeant, who is a colorful character, listener interest. Program consists of the daily report direct from sergeant's desk. Station, like the sergeant who airs the report is something of a humorist, coloring the matter with his own wit. Inside stuff about what went on the night before.

**Romance of the Mails**  
Cincinnati.

Romance of the Mails, new sustainer on WFBE, is proving a popular public feature. Program on Sunday, 12:15-1:30 p.m. Began Jan. 27 and runs to March 17. Continuity prepared and presented by the station's mail department. Topics: Postal History, Rural Delivery, Air Mail, Night Flying, The Letter Carriers' Post, Radio, and Information and Future of U. S. Postal Service.

**Double Duty**  
Hollywood.

KMTF, which broadcasts the President Roosevelt speeches on a plating arrangement with CBS, will record all of the future speeches in order to run them off as discs the day after the fact. The station has missed them.

Station got its permission to wax the White House.

**Disaster in the Fog**  
Philadelphia.

WIP's Front Page program, its new series, took another scoop from the Philly dailies when a freighter ran aground in the Delaware River (8).

Studio got the flash from the p.a. of the Wilson Line, one of whose boats later took survivors and injured. Quick contact with the Penna. E. R. secured permission for a broadcast from the ferry ship. Station was on the air within the hour.

Broadcast was a thriller, since ferry was badly damaged with a full cargo of passengers and automobiles aboard. Description was made of the rescue, which was a save the ferry, and the ship's final pluck to Davey Jones' locker.

An accident, which was a loggy morning, just too late for the logs to make their first editions. WIP was on the air 30 minutes and scooped everything around.

**The Little Beaver**  
Duluth.

WEBC, Duluth-Superior, launched its new weekly series, "The Romance of the Little Beaver," with some smart show-biz.

"The Little Beaver Leads to the Discovery of the Father of Waters." The series is a program, written by Norman Jackson, WEBC baritone, singing voyageur songs against singing wind and rippling water. The series is fabled in and out to give effect of voyageur's approach from a distance. Notices sent out to superintendents of the Duluth and Superior school systems, suggesting that the series be used in the history with a sugar coating by listening to "Romance," resulted in bulletins from the schools. The series is used by principals and teachers, asking kids to listen. Despite fact that the

## Station Portrait

**WGB-WKBW, Buffalo**

In Buffalo WGB and WKBW spell Lounsbury and Lounsbury spells Buffalo Broadcasting Corporation. The boy from Lockport is the mainstay and motive power of the organization and everything in it reflects his personality.

Ten years ago, Lounsbury, an engineer at Buffalo-Manville, was banished to the sticks of Lockport by that organization to conduct experimental sound work at the Norton Laboratories, a Kenmore had set up WKEN, utilized largely by H. M. Addison then managing the Great Lakes (Fox). The two stations finally split, and Lounsbury came to Buffalo and WGB was formed. Early and their combination being chiefly due to the backing and interest of theatrical groups here.

Then came the Rev. Churchill, III, Buffalo's super-salesman of religion with his WKBW. Churchill's high powered apparatus, about blasted everything out of the air until government intervened. Then Lounsbury had his big idea. Going to the Marine Trust Company, he sold them the idea of combination of station and WGB was formed taking in Lounsbury, Churchill and the old WGB (formerly the Federal Telephone Company), backed by the Marine Trust financial group in this part of the country. Subsequently Churchill dropped out and today, though the Marine Trust Company owns WGB, the combination continues to be provided by Lounsbury who takes care of the shooting on all fronts.

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available, they are instructed to send the miniature to P. & G., at 200 E. 42d street, room 400, New York City, with information on the hair desired for color of hair and eyes.

**Nitery's Amateurs**  
Piquette, Ind.

Met's Tavern, turned City Club, swank spot of the city, tied in with the amateur radio business. Every one who came from 9 to 9:15 every night, the management puts on a play for the non-dancers in the hall. The play is an amateur machine pegging the most popular of acts. These are then given a tryout on a main stage at night. Best act gets a chance to go on the air for a certain length of time on the club's hookup.

Radio air is given to the tryouts through a public address system that is used in the large hall. So far the idea has clicked with the management at but little cost, most of the amateurs craving work before crowds, rather than the awe inspiring prospect of the mike.

**Air Plugs From Pulpit**  
Los Angeles.

KFVD has inaugurated a six-day a week program, "Chimes of Christendom," purely as a means of building good will and listening audience among church people. Station has donated a half hour daily to the local Federalist League, a group comprising all protestant groups. Program handled by the station consists of a reading of a hymn chosen from the choir of the several churches, scripture reading, instrumental music and a sermon of an undenominational nature.

Station's only provision for the donation of the time is that the station will broadcast the program each Sunday from the pulpit.

**What They Laugh At**  
Charlotte, N. C.

Grady Cole, WBT commentator, is asking listeners to send in their favorite jokes in selecting the best jokes of the week, all as a build-up for his radio column.

His column already reveals a vast majority of those submitted concern cows, chickens, turkeys, farmers and a mass of things rural. This is a matter, however, in view of the fact that the Carolinas are agricultural states and the station's listeners are largely rural or semi-rural residents.

**Religion and Crime**  
Philadelphia.

Tying up the Philly School of Dramatic Art with the local Christian Science Monitor, WDR is now airing twice weekly dramatizations of life in the tenderest districts.

A religious group is a mission society doing welfare work in those sections of the city which border the city hall. The series is necessary for cleansing the stagnant areas so that children may have a better environment for judicious growth.

Dramatizations are directed by R. A. Taylor, the Institute with scripts penned by Dr. John R. Reeves. Programs are arousing a big comment, and may portend a new chapter in the housing in Philly's more needy districts.

**Guitar School Program**  
Dubuque, Ia.

WKBB has a commercial deal with the local radio for 13 weeks of broadcasts (15 minutes). Studio teaches Hawaiian guitar; ether. Program has been arranged with the local school system, interspersed with students. Various stages of instruction are illustrated in this manner.

**Stogies as Prices**  
Schenectady, N. Y.

On Thornton Fisher's "Sports Parade" Saturday supper-hour shot over the NBC red web, P. Lorillard will be getting a 50 box of Muriels for the 50 best letters on "Why I Like Muriels." Accompanying the episode must be a letter from a newspaper or magazine, a nickel heater, the sale of which naturally is hyped by the station.

For the first time, a winning letter writers is a copy of cartoon by Fisher of the sports celebrity. He has interviewed the previous week.

Muriels are now getting the main plug on the program, Briggs' "Zoback" and asked to send the question carry on its work. At first station donated its time but later—response to program was so high that it was a simple matter to sell program to Bailey & Sons, old-time feed and animal stores. Program is a weekly series, running for 26 weeks, 15-minute program.

**Guessing the Winners**  
Peoria, Ill.

WMDB, Peoria, Ill., has turned political prognosticator. Both political candidates and the voters are getting a taste of the straw vote taken on a scientific basis by the WMDB staff, under Gomer Bath, local commentator. For the first time, a contest of six preceding a heated primary campaign, the station canvassed each of the candidates, getting a six and a five percentage of the average voting strength of that ward based on population figures. The last two weeks, the station has been taking, giving a ten per cent average vote of the entire city. Results are broadcast in a special program each week.

The reason that so much of the local population is interested in the straw vote is that last year the WMDB straw vote predicted the entire ticket, in order, and socked every one on the nose.

**Ban Phrases 'Flash'**  
Schenectady, N. Y.

Manager Bill Schind, of WBF, has banned the words "Flash!" of "New Flash!" save in presenting a genuine piece of important news. He argues too much use will mean that the significance of the word will be lost.

In no respect can it be used in connection with a commercial announcement as a means of getting the immediate attention of listeners.

**Pre-Naming Contest**  
Schenectady, N. Y.

Procter & Gamble is now conducting a contest to name babies of Crisco and to stimulate interest in the "Vic and Sade" broadcast, one of three afternoon shots which the company first over the NBC red web. It's a pie naming affair, advertised in women's magazines and in grocery stores, as well as on the radio.

Diapers are advised to check printed copy in mags, or stores, or write P. & G., P. O. Box 28, Cincinnati, for a description of the pie. To enter the contest, which 44 can win prizes, including a first prize of \$100, are to enter a wrapper from a three-pound (large size) can of Crisco must be sent. Can suggest a name for the baby. The winner being advised to bake the pie and to ask members of the family for suitable tags.

To win the \$100 prize, P. & G. will present 1,000 silver-plated servers to minor winners. Contest closes March 30.

**Radio Dealer Tie-In**  
Denver.

KFEL makes a direct bid for the favor of manufacturers and radio dealers by keeping one each of four miles away from the station. It's all over the air inviting listeners to stop in at the station when down town. The station is in competition with each other.

Station tells listeners to hear the new high fidelity sets, compare with the old set at home, and see if they don't need a new radio. Makes kept on display include Zenith, Atwater Kent, Philco and Stromberg-Carlson.

**Long Wave Plugs Short**  
Denver.

"KJZ is making a bid for the goodwill and listening hours of miles away from the station. It's all over the air inviting listeners to stop in at the station when down town. The station is in competition with each other.

Program is called "The Dial-writer."

**Luncheon Club Ties**  
San Antonio.

KTSA has found a new territory for man-on-the-street broadcasts among the luncheon clubs. The station is in competition with each other.

Station airs the groups during the regular luncheon hour. The program is a new type of program away from the dry lecture type it's figured as a good writer in that close contact with radio will give some of the merchant members a curiosity about radio advertising which can be followed up.

**3-Way Tie-Up**  
Baltimore.

Three-ply trade deal drawn up last week among WFBR, Loew's and the Baltimore Sun and Home-News, a weekly sheet published by Howard Burman. Each Friday night quarter-hour program, with the earmarks of a commercial will be broadcast over WFBR; talent used will come from the vaude revue of the Sun and Home-News. Century stage and the Home-News will be billed as the presenter of the program, which is a simple matter during the periods being boosts for the rag.

Reciprocally, the paper will give the radio a boost to the Century and the station in each of its weekly issues.

**Humane Society Sponsored**  
Salt Lake City.

Humane Society approached KJL and asked to have the question carry on its work. At first station donated its time but later—response to program was so high that it was a simple matter to sell program to Bailey & Sons, old-time feed and animal stores. Program is a weekly series, running for 26 weeks, 15-minute program.

**And Profitably, Too**  
Dayton, O.

Station WHO's launch was saluted by the Dayton News (same ownership) with a special advertisement in the paper. The station is in competition with each other.

Feed store signed up for 26 weeks, 15-minute program.

**Nice splurge**

## Radio Barn Dances Easy to Sell as Attractions at Middle Western Fairs

Chicago, Feb. 19. County fairs are reported keen for radio attractions this summer and fall. Notably the rural bazaar are partial to barn dances or hillbilly entertainments that have built up established followings.

Illustrative of the trend is Earl Kurtze's experience at WLS, Chicago. Booking manager of this former outlet has sealed 42 contracts for fair dates already and anticipates that as many as 150 plays dates may be secured. Last summer and fall WLS copied 42 fair engagements for various segments of its barn dance aggregation.

WLS is going as far east as New York and Pennsylvania this year. Guarantees reported to call for \$500 with a split starting when gross goes above \$1,000. WHO, Des Moines, is entering the competition with its own barn dance units, but in lieu of its own booking organization is utilizing the Barnes and Carruthers agency, Chicago.

## CHICAGO SYMPH ON MUTUAL THROUGH WGN

Chicago, Feb. 19. Chicago's symphony will go on a fortnightly ride over the Mutual system for a 40-minute gallop every other Saturday night. WGN, local MBS outlet, has been carrying the symphony for several months.

Mutual spread for the Chicago orchestra will start on March 9. Besides the symphony WGN will supply the network with a regular line-up of dance bands including Wayne King, Jan Garber, Ted Weems and Kay Kyser.

## Sponsors--Agencies

Stanco, Inc., is putting on an extensive campaign for PH in Mexico in Brazil. For 1935 it will use 42 quarter-hours each on PRA3, Rio de Janeiro and PRF3, Sao Paulo, and 25 quarter-hours on PRC3, Porto Alegre. Account booked through Foreign Advertising and Service Bureau, Inc., and Conquest Alliance Co.

Mar-O-Oil Shampoo starts over the NBC blue web this week for a twice-weekly afternoon program. Talent, booked through Paul Kapp, is comprised of Arthur Beddoes as solo vocalist, and the Five Californians, singing-musical aggregation out of the Palmer house's Empire Room.

Betty McLean is on the show as femme singer.

Phillips-Jones Corp. (Van Heusen collars) has taken a 45-minute niche on NBC's red link Sunday nights, starting March 31, for a musical idea. Peck is the agency.

Pittsburgh Plate Glass joins the Mutual network March 18 on the basis of five a.m. quarter-hours a week. Dor Carlos' marimba unit will provide the entertainment. Agency is N. W. Ayer.

Paul Menton, shorts editor of the Baltimore Sun, goes radio April 15 on WFBR sponsored by Gunther Beer, Baltimore.

King Midas Mills, Minneapolis, may use radio.

Chet Crank, Inc., of Los Angeles, is agency for Balboa Beer which uses radio in Pacific zone.

Auspitz and Lee, Chicago, placing time for Better Speech Institute.

Crazy Water Crystals signed for 52 weeks of full-hour Saturday night programs on Southwest Broadcasting System, using Texas stations of the net. Program handled by Marshall Pope from lobby of Crazy Hotel in Mineral Wells, Texas. Program will be aired to KTAD, Fort Worth SBS key station, and on San Antonio, Houston, Waco, Austin and Dallas.

U. S. Tobacco (Dill's Mixture) starts its "One Night Stands" on the NBC red (WEAF) Friday nights on the second year with the March 8 broadcast. McCann-Erickson is the agency.

B. T. Babbitt (Bab-O) has renewed for its Sunday matinee stanza on the NBC red (WEAF) until May. Peck agency handling.

Gospel Singer: Fred Gentry (a tombstone and monument dealer sponsors him) got his sharpest criticism on WSPA, Spartanburg, S. C., by a female fan who wrote, "Sing 'em faster!"

## WHAM'S Auditorium

Rochester, Feb. 19. WHAM has decided the auditorium on the sixth floor of the Rochester Gas & Electric Corporation building for broadcasting purposes. Place seats 350 and gives WHAM more adequate facilities for handling crowds who want to see the broadcasts.

Auditorium is used regularly for the larger local programs. Main studios are in the Sagamore Hotel nearby.

## B. B. C.'S TALENT BUILD-UPS IN ENGLAND

London, Feb. 19. Ever since British Broadcasting Corporation started, it has had difficulty securing talent. Contracts of one or more of the big vaudeville circuits generally carry a prohibition against broadcasting. B. B. C. is thus compelled to develop its own talent.

Has already lined up quite a number of acts which includes Alexander and Alexander, who have taken on a new lease of life since they became popular on the air; Haver and Lee, former half being Clay Keyser the juggler, mostly playing bills in his vaudeville career; Len Allen, crooner with the Henry Hall band, and now getting \$600 as a single in vaudeville, and who is under a long term contract with Gaumont-British for picture work; Elsie Carlisle and Sam Brown who started crooning with Ambrose's band and now demanding \$750 a week as a team; Western Brothers; Elsie and Doris Waters, whom the vaudeville people would not have at any price until they made their reputations on the ether; Phyllis Robins and Eve Beck.

Such acts as Carlyle Cousins and Chapman and Dryer, are now in greater demand in vaudeville since their reputations have been enhanced through broadcasting.

## Baker and Bernie Again

Phil Baker and Ben Bernie, who were a standard team in vaudeville 15 years ago, are resuming where the bookers asked them to leave off, but for one night only.

It happens March 12, when Baker goes on Bernie Pabst program (NBC) as guest star. Bernie's brother Dave is booking the weekly names on the Blue Ribbon show.

## Fox Out at WGAR

Cleveland, Feb. 19. J. Leslie Fox, former sales and exploitation manager of WGAR, has been let out as part of what is called an "economy program". Fox is going to Chicago.

Ellis Van der Pyl, sportscaster, and John Patt, WGAR's manager, will jointly take over sales.

## HERE AND THERE

(Continued from page 40)

studios and offices are slated to occupy entire top floor when present renovation plans are completed. Move, however, will not be for a couple of years as studios recently moved into new quarters in Meridian Life building.

Paul Berlenbach, former light heavyweight champ, now airing over WBXX with his Dixieland orchestra direct from fighter's Yorkville club.

Robert Wilbur, formerly of the staff of the St. Lawrence University station, Canton, N. Y., has joined the announcing staff of WCAX, Burlington, Vt. Wilbur is also a tenor.

William Schudt, Jr., manager of WBT, Charlotte, N. C., is back from a week and a half in New York City.

Henrik de Leew, who last year did a series on tribal customs for WEVD, New York, is back from a stay in Dutch Guiana.

Easy Aces signed for three years by American Home Products (Ancon).

Grady Gote, just signed by Chatham Blanket and Sonespun Company, Winston-Salem, N. C., for

## Hans Albers on Radio in Berlin Leads to Belief He's Back in Pix

Berlin, Feb. 10. Radio apparently has answered the mooted question of whether Hans Albers, ace German film star, would be allowed to work here. Albers led a collection of film and literary stars on a program here filled with plenty of laughs and tuneful ditties.

The Hamburg star, because he disregarded orders to split up with his frau, who is Jewish, had been reported several times as banned from German pix. He broke away from UFA, went to Bavaria and turned out the best performance of his career in UFA's "Der Gynat".

B.O. success of the film started talk that he'd be permitted to continue filming, but the government was silent. However, it needs the b.o. taxes, hence a tacit permission

is seen in okaying Albers' airing. Incidentally, program was somewhat of a substantiation of the new policy of permitting entertainment instead of propaganda. Program was on 8 to 9:30 in the evening, time ordinarily reserved for propaganda speeches.

With Albers on this program were: Lotte Werkmeister, master mimic of Berlin dialect; Adele Sandrock, grand old lady of German stages (she's over 70); the nonpareil clown, Grock; Clara Waldorf, Willi Fritz, Carl Hoerliger and a fine quartet called the "Kardosch singers". Ludwig Mandrel Lommel played three or four parts in his witty sketch from "his own station", cutting in and out with noises resembling Bronx cheers. Karl Grabe and Heinz Pauck wrote the scripts.

three programs a week on WBT, Charlotte, is now the station's most extensively sponsored individual. Also does daily programs for Stewart-Warner radios and BC head-ache remedy.

Martin Stopera and his Polish orchestra has returned to WBB, Brooklyn.

A. J. Flanter in Atlantic City over Washington's birthday.

Dizzy Dean recently made a series of "World's disks for Rice-Sifts Dry Goods company".

Frank Luther making some Educational shorts this week.

James Melton playing Detroit and Chicago.

Arthur Boran opens Friday in Waterbury, Conn., at Warner's State theatre.

Larry Taylor recuperating from illness.

Polly Sharkless, secretary of Doc Levy, WCAU, Philadelphia, slated for the "I do" ritual next month.

## RKO PALACE, N. Y. Box Office Results

Week of Feb. 1st—\$7,000

Week of Feb. 8th—

## HEADLINING

## EARL HINES

And His Grand Terrace Orchestra

featuring

## KATHRYN PERRY

3 Rhythm Kings 3 Palmer Bros.

Grossed Over \$16,000

Management ED. FOX Direction HARRY D. SQUIRES

Feb. 15—Albee, Brooklyn. Feb. 22 to March 7, College Proms, Dances and Recordings



## UNCLE EZRA

(Pat Barrett)  
Featured Comedian  
Sponsored by ALKA SELTZER

BLANKETING THE KEY CITIES OF U.S.A. NOW DOUBLING ON 2 NETWORKS! BOTH NBC AND MUTUAL BROADCASTING SYSTEM.

## DeWOLF HOPPER

With RHYTHM SYMPHONY SPONSORED BY UNITED DRUG CO.

Sunday, 3 P.M., CST NBC COAST-TO-COAST Personal Management H. C. HOWARD

Fine Arts Building Phone Harrison 3309 CHICAGO

## THE ULTIMATE IN NOVELTY PROGRAMS

## BORRAH MINEVITCH

WOL, 8-9:30 P. M. Every Tuesday REID'S ICE CREAM

## CHARLES PREMMAC TENOR

As Pierre Brugnot 80 weeks Master of Ceremonies for Bourjois, Evening in Paris, Radio Program, Singing the latest hits of Broadway and Paris

As Franz, the International Chef: 150 Broadcasts for Best Foods, Inc., Singing Songs of All Nations.

Personal Representative, JESSE S. BUTCHER, 400 Madison Ave., N. Y. C.

# Leon Belasco

And His ORCHESTRA

## Re-Engaged

FOR THE NEW PRODUCTION

## "Casino De Paree"

Broadcasting With PHIL BAKER Friday, 9:30 to 10 P. M. ARMOUR, WJZ-NBC

Tuesday, Wednesday, Thursday and Sunday

COLUMBIA BROADCASTING SYSTEM COAST-TO-COAST

Thanks to YERMIE STERN, LOU BROWN, HARRY AKST

Direction HERMAN BERNIE 1619 Broadway, New York City

## ELAINE ARDEN

DIALECT COMEDienne

Week Feb. 15, FOX; DETROIT On the Air with PHIL BAKER, March 8

## New Business

## NEWPORT NEWS, VA.

People's Service Drug Stores, one-half hour organ broadcast daily, one year. Direct. WGH.

Crazy Crystals Company, one-quarter hour transcription broadcast daily, one year. Direct. WGH.

Royal Pilsen Beer, two announcements daily, 26 weeks. Direct. WGH.

Scars Reebuck Company, one announcement daily, 13 weeks. Direct. WGH.

Automobile Show, Chamberlain Hotel, Old Point Comfort, 100 announcements in period of 10 days. Direct. WGH.

Ford Automobiles, local dealer, 100 announcements in period of 10 days. Direct. WGH.

Chevrolet Automobiles, local dealers, 100 announcements in period of 10 days. Direct. WGH.

Hughes-Lauring, Dodge-Plymouth dealers, Norfolk, two announcements daily, one year. Direct. WGH.

Empire Company, loans, Norfolk, two announcements daily, one year. Direct. WGH.

## ARTHUR TRACY

"THE STREET SINGER"

DR. SCHOLL'S PRODUCTS

Evenings, 7:30-7:45 E.S.T.

Tues.-Thurs.-Sat.

WOB-WLW-WGN-WXYZ

Direction

Rocke Productions

RKO Bldg., New York City

## SAM HEARN

STUART

12 News, Sunday, WIZ

"Mr. Schlegel" "The Superintendant"

with

Jack Evans, "Mr. Sullivan"

7 P.M., Sun. WIZ

Management Rocke Productions

Jack and Loretta

Clemens

WEAF

11:15 to 11:30 A.M. Sundays

VENIDA

9:30-10:30 P.M. Saturdays

IVORY SOAP

WEAF

Direction

NBO Artist Bureau and

Rocke Productions

GEORGE DEULER

BARITONE

FEATURED SOLOIST EASTEAST

Sundays, 12-12:30 P.M., WZZ

CALIFORNIA PERFUME COMPANY

Sherling March, 5 and

Twice Weekly Thereafter

Personal Management

NELSON

125 East 50th St., New York City

ABE LYMAN

AND HIS

CALIFORNIA ORCHESTRA

COAST-TO-COAST

WABC-Tuesday, 8:30 to 9 P.M., EST

(Phillips Dental)

WEAF-Friday, 9 to 9:30 P.M., EST

(Phillips Hall)

EMERSON GILL

AND ORCHESTRA

HOTEL WEBSTER HALL

DETROIT

MCA DIRECTION

two announcements daily, one year. Direct. WGH.

Broadway Department Store, Fashion Program, daily, one year. Direct. WGH.

Automobile Finance Company, Norfolk, one announcement daily, one year. Direct. WGH.

Victor Philco dealers, 15 minute program, transcriptions, daily, one year. Direct. WGH.

## CHICAGO

Crazy Water Crystals Company, Chicago; six 15-minute shows weekly. Goodman Agency, Paducah, Ky. WLS.

Delta Coal Mining Company, four weeks of 10-minute announcements, three times weekly. Murrel Crump Agency, Kansas City. WLS.

Kalamazoo Shoe Company, four weeks of 15-minute programs, three times weekly. Palmer Agency, Chicago. WLS.

Parley Laboratories (sea salt), Chicago, four weeks of 20-second announcements, four times weekly. Rogers and Smith Agency, Chicago. WLS.

John Puhl products, 15-minute program by disc three times weekly for 13 weeks. Charles Silver Agency, Chicago. WGN.

Alka-Seltzer (Miles Laboratories), 15-minute disc program, three times weekly for 13 weeks. Wade Agency, Chicago. WGN.

Mandel Bros., Chicago; 15-minute program twice weekly. WGN.

## FORT WAYNE

Dr. Miles Lab., three weekly, starting March 15 for an indefinite period of weeks. WWOV.

Raymond's, three times weekly program, for an indefinite period. Placed through Haven Advertising Agency. WWOV.

Indo-Yin, series of daily quarter hour programs, presenting Pie Plant Pete, for 26 weeks. WWOV.

Gottlieb Optical Shop, twice weekly, for an indefinite period, presenting Norm Carroll. WWOV.

Carter Medicine, three weekly, spot announcements, for an indefinite period. WWOV.

Chompson's Velvet Beer, presenting Golden Glove tourney with Gunner Elliott at the microphone. WWOV and WGL.

## LINCOLN

State Tire Co., two announcements daily for a year. KFOP.

Emsey Tire Co., two announcements daily for a year. KFOP.

First National Bank, half hour program Sunday afternoons for 52 weeks. KFOP.

Williams Nursery, daily announcements for three months. KFOP.

World Hotel, two announcements daily for 13 days. KFOP; 16 daily announcements over KFAB.

Lincoln Hatchery, 20-minute daily morning program, except Sundays to run for five months. KFAB.

Bamlin Wizard Oil, three announcements daily for a year. KFAB.

Easter Solder, 55 daily announcements. KFAB.

Spohn Medical, 13 daily announcements. KFAB.

Nacor Medicine, three months of daily announcements. KFAB.

Day's Clothing Company, series of daily announcements, 52 weeks. WMAZ.

Daring Shoes, series of announcements, 52 weeks. WMAZ.

Collins Bakery, series of spot announcements, 52 weeks. WMAZ.

Martin Shoe Shop, using a daily series of programs, 13 weeks. WMAZ.

Hays Clothing Company, series of disc programs, for an indefinite period. WMAZ.

J. N. Neel Co., Man on the Street program, 52 weeks. WMAZ.

Economy Auto Stores, series of spot announcements, 52 weeks. WMAZ.

## MASON, GA.

Day's Clothing Company, series of daily announcements, 52 weeks. WMAZ.

Daring Shoes, series of announcements, 52 weeks. WMAZ.

Collins Bakery, series of spot announcements, 52 weeks. WMAZ.

Martin Shoe Shop, using a daily series of programs, 13 weeks. WMAZ.

Hays Clothing Company, series of disc programs, for an indefinite period. WMAZ.

J. N. Neel Co., Man on the Street program, 52 weeks. WMAZ.

Economy Auto Stores, series of spot announcements, 52 weeks. WMAZ.

## PHILADELPHIA

John B. Stetson Company, two spot announcements weekly. Placed through N. W. Ayer. WFIL and WIP.

National Gold-Buying, one 15-minute disc weekly for 13 weeks. Broadsmith Agency. Also six five-minute electrical transcriptions for 13 weeks, running weekly. WFIL.

Hill Shoe Company, six spot announcements per week on indefinite contract. Placed direct. WFIL.

Frederick's Baking Co., contract renewal until June, Sunday, evening minstrel shows, 6:30-7 p.m. Placed through Richard Foley Agency. WFIL.

American Tobacco Company, 35 electrical transcriptions, spot announcements, 15-minute program, "Lawrence Gumbler Agency. WFIL.

Curtiss Candy Co. (Baby Ruth), 25 spot announcements weekly for

52 weeks. contract. McJunkin Agency. WIP.

J. Stromejer & Co. (table syrups), participation Homemarkers Club, three times weekly, indefinite contract. Placed direct. WIP.

Watch Tower, one hour religious program, placed through Royal Slay. WIP.

East Ko Kol Co. (health foods), three announcements weekly, indefinite contract. Placed direct. WIP.

Jacob Singer Corset Co., one five-minute program, 13 weeks. WVOH.

Abe L. Greenberg (uniforms), three spot announcements weekly on indefinite contract. Placed direct. WIP.

Bell Shoe Shop, 300 spot announcements to be used within one year. Placed direct. WIP.

Kahn Store (furniture), 100 spot announcements to be used within one year. Placed direct. WIP.

## LOS ANGELES

Continental Bread Co., Mon., Wed., Fri., 10:15-10:30 p.m., Charles Hamp, tenor. Placed direct. KFI.

Stacy, 3:45-4 p.m., starting April 1, script show "Mr. and Mrs. featuring George Fife and Richard Le Grand, 16 programs. Columbia Don Lee network, 12 Coast stations from KHJ.

Selman & Wormser, Tues. and Fri., 5:30-5:45, Jack Major, singing, whistling and yodeling. Columbia Don Lee network, 12 stations from KHJ.

Ironized Yeast Co., five minute disc, Fri. and Sunday, 12 stations from KHJ.

Placed by Ruthrauff & Ryan. KNX.

## BOSTON

Cushman Baking Company, Tuesdays at 2:45-3:00, using Meddler's Club. Placed direct. WEEI.

Stacy, 3:45-4 p.m., 102 announcements, Mon., Wed., Fri., 6:40-6:45; transcription, World Broadcast Company, agent. McCann-Erickson, Inc. WEEI.

Groff Ale (renewal), New England Network, Saturday, 7:15, head lines, Neal O'Hara. McCann-Erickson, Inc. agency. WEEI.

Dodge Automobile, 20 one-minute announcements, 8:00 (Saturday program) and 7:30 (After Dinner Revue program). WEEI.

## SALT LAKE CITY

Bailey & Sons, 25 15-minute electrical transcriptions. KYDL.

W. T. Grant Company, 13 30-minute disc programs by World Broadcast Transcriptions. KYDL.

Pennington, one minute night announcement set for 26 weeks. Placed through Meyer Company. KYDL.

Curtis Candy Company, daily announcement for 52 weeks on the Kangaroo Club (kiddies' hour). Placed through McJunkin Agency. KYDL.

Chrysler Motors, 10 one-minute announcements, placed by Ruthrauff & Ryan. KYDL.

Schuback Optical Company, half-hour weekly spots, featuring 62 tested, new numbers for 52 weeks. KSL.

Ecclesiastes Beauty Products Co., two quarter hour programs, for period of 13 weeks. KSL.

Harmony Method, five quarter hours weekly to play easy piano method, for 13 weeks. KSL.

Hudson Motors, 15 spots, nighttime, through Kohler Inter-mountain Hudson-Terraplane distributor. KSL.

Amato Syrup, nighttime spot announcements for 30 days. KSL.

Smith Brothers cough drops, 30 spot announcements, nighttime schedules, for 30 days. KSL.

Sterling Toothpaste, one quarter-hour weekly on Saturday night, features a "Buckaroo" show. KSL.

Basic Foods, two quarter hours weekly, old time melodies with organ and voice for 26 weeks. KSL.

Christian Science Service, one quarter hour weekly, religious talk, set for 10 weeks. KSL.

Cystez, one quarter hour weekly, electrical transcriptions for 13 weeks. Placed through Edward Petry & Co. KSL.

Husler Flour Mills, one-half hour weekly, light concert music, with vocal and instrumental offerings. Placed through L. S. Gillham Agency, for 13 weeks. KSL.

Lozan Grocery Company, one-half hour weekly, with the KSL Players in The Little Theatre Idea, for 10 weeks. KSL.

Dodge Motor Car Company, two quarter hour weekly electrical transcriptions for 13 weeks. Placed through KHJ and Don Lee Broadcasting System. KSL.

Lola Leflar, two quarter hours weekly, organ meditations applied with cosmetic lingo, set for 13 weeks. KSL.

Soda Milk Company, five quarter hours weekly, musical pot pourri, for 52 weeks. Placed through L. S. Gillham Agency, for 10 weeks. KSL.

Salt Lake Milk Producers, one quarter hour weekly of musical varieties set for 13 weeks. KSL.

## SAN ANTONIO

Virginia Nesbitt Multigraphing Service, spot announcements, one week, placed direct. KTSa.

Christian Science Publishing Company, three 15-minute periods, "Lecturer" in studio. Placed direct. KTSa.

Old Royle, night club, two 15-minute remote pick-ups weekly for one year, and spot announcements, twice weekly, for one year. Placed direct. KTSa.

Missed, 15-minute, spot announcements, running indefinitely. Placed direct. KTSa.

Alamo Paint & Wallpaper Company, spot announcements, six months. KTSa.

Ezell Auto Parts Company, spot announcements, running indefinitely. Placed direct. KTSa.

Pomby Clothing Company, spot announcements, running indefinitely. Placed direct. KTSa.

Watchtower Bible & Tract Society, one-hour period on SBS. Placed direct. KTSa.

McGough Hosiery Mills, Dallas, spot announcements to run one year. Johnson Agency, Dallas. KTSa.

San Antonio Buick Company, 300 one-minute transcriptions. Placed direct. KTSa.

Mail-O-Meal, 5-minute programs, three weekly for one year. Placed direct. KTSa.

Like T. Sidebottom religious programs, half-hour Sunday for one year. Placed direct. KTSa.

Stevens Bros., Chicago, 100-word announcements running indefinitely. KTSa.

Hilmer & Swenson Company, perfumers, spot announcements, running indefinitely. Placed direct. KTSa.

Swigman Bros., general merchandising, 25-word announcements to run indefinitely. Placed direct. KTSa.

Gulf Brewing Company, 50-word announcements, 300 times. Rogers Gano, Dallas, Texas. KTSa.

Our Auditor & Body Works, spot announcements, running indefinitely. Placed direct. KTSa.

Stevens Bros. Frigidaire Company (Frigidaire), spot announcements, to run five months. Placed direct. KTSa.

Parisian Beauty Shop, 50-word announcements, running indefinitely. Placed direct. KTSa.

Stevens Bros., Chicago, 30 20-minute broadcasts, ringside fight pick-ups and spot announcements, daily except Sunday reports, running for one year. Placed direct. KTSa.

Marquet Medicine Company, spot announcements, to run indefinitely. Placed direct. KTSa.

Hicks Rubber Company, 300 15-minute programs, five weekly, spot announcements to run indefinitely. Placed direct. KTSa.

Stevens Bros. & Door Company, spot announcements, running for one year. Placed direct. KTSa.

William C. King Flower Shop, spot announcements, running one year. Placed direct. KTSa.

Bell Taxi Company, spot announcements, running indefinitely. Placed direct. KTSa.

## NEW YORK CITY

Curtis Candy Company, five time announcements daily, for period of 52 weeks. Placed by McJunkin Advertising Agency. WINS.

Sterling Company, series of eight announcements daily, for period of 52 weeks. Placed by Health-Seehof Advertising Agency. WINS.

Federal Enameling and Stamping Company, series of Wednesday morning program, for period of 13 weeks. Placed through Albert P. Hill, Inc. WINS.

Cosmopolitan Magazine, series of dramatic sketches, Monday afternoons, for a period of 13 weeks. WINS.

Winn's Clothes, Inc., daily series, presenting a harmony duo, on a 13 week renewal contract. Placed through Bess & Schill, Inc. WINS.

Planters Edible Oil, regular Sunday hour program, presenting Vincent Sore's orchestra and concert soloists, on a 13 week renewal contract. WINS.

Youth Publishing Company, presenting Young America disc series for an indefinite period, on six times weekly. WINS.

Public Service Bureau, series of Wednesday night programs, presenting "Dr. George Cohan in a talk on dogs, for a period of 52 weeks. Placed through Brown Advertising Agency. WMAA.

Mme. Lena, Inc., twice daily, presenting a character analysis, for a period of 52 weeks. WMAA.

Midtown Bus Terminal, five 25 announcements daily, for an indefinite period. Placed through Bess & Schill, Inc. WNEW.

Loza-Hansen, series of five 15-minute periods weekly, presenting Charming Moments, for a period of 52 weeks. Placed through Empire Advertising Service. WNEW.

Pittsburgh Plate Glass, five times weekly, presenting Don Carlos and his marimba band, for a period of eight weeks, starting March 18. Placed through N. W. Ayer Agency. WNBC.

Consolidated Clear Company, three weekly, presenting a variety hour, for 14 weeks over Mutual Broadcasting System. Altkin-Kynett Company. WOR.

Testquest, extending Gabriel Heatter's news comments for 52 weeks. WOR.

Stanton Street Merchants' Association, renewal on twice weekly program, for an indefinite period. WARD.

Dr. Luessenfeld, renewal on 15-minute program, weekly, for an indefinite period. WARD.

Romanian Paradise Restaurant, half-hour program twice weekly, by remote control, for an indefinite period. WARD.

Wolozin Religious Company,

Tuesday, quarter hour program for an indefinite period. WARD.

Brooklyn Bros., quarter hour on Thursday evening, presenting music, for an indefinite period. WARD.

Stuhmer's Baking Company, series of spot announcements for an indefinite period. WARD.

Second Avenue Baths, series of spot announcements, for an indefinite period. WARD.

Rappaport Department Store, series of Friday afternoon programs, for an indefinite period. WARD.

ST. PAUL-MINNEAPOLIS

B. F. Nelson Roofing Co., Minneapolis, Sunday evening, 15-minute sessions for 13 weeks beginning Feb. 17, using station talent. Erwine Wasey Co., agent. WCCO.

Dr. Miles Laboratory, Elkhardt, Ind., plugging Alka-Seltzer, thrice weekly, 15-minute "Comedy Stars of Hollywood" transcription, for 15 weeks beginning Feb. 5. Deal through Wade Adv. Agency, Chicago. WCCO.

Prime Carners will be Benny Leonard's evening on WHN—New York, Monday (25) broadcast from St. Nicholas arena.

BOB HOPE

BROMO-SELTZER

Every Friday—8:30 P. M.

WJZ-NBC

Direction

LOUIS BRUB

AL MELNICK

GEORGE GIVOT

THE GREEK AMBASSADOR

OF GOOD WILL

TOURING

DELUXE THEATRES

Personal Direction

HERMAN BERNIE

1019 Broadway, New York

CHARLES PREVIN

CONDUCTOR

REALSILK'S SILKEN

STRING CONCERT

N.B.C.—SUNDAYS

8-8:30 P.M., CST

9-9:30 P.M., MCT

10-10:30 P.M., PT

Personal Representative

W. BIGGIE LEVIN

612 No. Michigan Ave.

CHICAGO

ROY FOX

AND HIS

BAND

ON TOUR

B.B.C. NETWORK

LEITH STEVENS

CONDUCTOR

PINAUD PROGRAM

Every Saturday Evening at 6

WABC

Exclusive Management Columbia

Broadcasting System

ADIA

KUZNETZOFF

WMAA—10 P. M. EVERY TUES.

"DOLLY RUSSIAN"

Bundes. Kretschma. Nightly.

Solo Direction

Herman Bernie, 1019 Broadway, N. Y. C.



# Radio Chatter

## Cuba

CMGW has been leased to Pinaros for a year and it is now broadcasting 17 1/2 hours.

CMBS has raised its power to 500 watts.

CMW moving from its present location to top of Diario de la Marina to the house next door and will have the largest studios and offices of any station locally. Tentative plans for the inaugural of the new locale placed around April 1.

All radio stations must have crystal control by February 28 or else. A local station owner received the visit of two Radio Commission inspectors who were about to check the wave and equipment of the station. Suddenly he got mad and thinking they were going to close him down and pulling his gun started shooting. No casualties, except the inspectors instruments which were dropped and spoiled. Revolutionary Cuban!

COLUMBIA  
BROADCASTING  
SYSTEM  
Presents

## LITTLE JACK LITTLE

AND HIS ORCHESTRA  
APPEARING NIGHTLY  
IN THE SILVER CITY  
HOTEL, LEXINGTON, NEW YORK  
And on Columbia Records  
C.B.S. Coast-to-Coast Network  
11 P.M. 5 P.M. 11 P.M.

## PINEX PROGRAM

C. B. S. Network  
Wed., Fri., Sun.  
At 1:30 P. M.

RADIO'S NEWEST, LOVELIEST VOICE

## BERNICE CLAIRE

"Lend me a Dime" "Any Lady's Walk"  
(Bayer Aspirin) (Phillips' Milk of Magnesia)  
WABC, Every Tues. 10 P.M. Coast-to-Coast  
WABC, Every Fri. 10 P.M. Coast-to-Coast  
Direction, LESTER LEB. RKO BLDG., N. Y.

## RAY ROULE

and his ORCHESTRA

WEAF NBC, COAST-TO-COAST  
WEDNESDAYS  
2:00-3:00 P.M. EST 10:30-11 P.M.  
VICTOR COTY

## XAVIER CUGAT

Opening Friday, Feb. 22nd  
PARAMOUNT  
NEW YORK

'Let's Dance' Program  
WALDORF-ASTORIA-NBC

## HERB KINGSLEY and VICKI CHASE

WABC  
Saturday Night at Eight  
ROXY REVUE  
Special Arrangements and Material  
Exclusively by  
JEAN PAUL  
Direction, WM. MORRIS

## New York

WGR, Buffalo, "Judas Clock celebrates thirty anniversary on the air Saturday (23) with Clinton Bushman as m.c.

Eddie Barry back from Florida to resume taping with WGR and WKWB, Buffalo.

Herb Straub and His Shagns, on CBS weekly from Buffalo, working on a new record.

Outfit moves into Ches. Aml, town's class night.

Dave Cheskin, former musical director at WGR and WKWB, Buffalo, back to take charge of two programs, "Tango Hour" and "Crazy Fiddlers."

Rod Reed, Buffalo Radio Editor, calls Eddie Cantor straight man for Parkyakakas.

Jim Corbett's Nine o'Clock show on WBEN, Buffalo, drew a fan letter saying Corbett should correct his mistake in saying that David Copperfield was written by Charles Dickens. Everybody knows, listener said, that James M. Barrie was the author.

## Utah

S. S. Fox, KDXL pres. and gen'l mgr. returned from Washington and New York his conference.

State legislators on the air daily for five minutes, on KDXL. Discussing major problems up before them.

Floyd Farr, being groomed at KDXL. Formerly handled milke wags KLA, Ogden.

Dave Simmonds did a nice job interviewing Kathleen Burke over KDXL. An ad-lib affair that was discussed.

George Snell, "Uncle Ben" on KDXL kiddies' hour, has written a book on Utah history. It's his third volume.

Feud ended between radio stations and newspapers. Complete agreement reached.

KSL Junior Review, broadcasts a weekly half-hour program from Orpheum stage. Juveniles do their stuff before the mike, followed by a show screening.

Edward Evans, KSL production mgr. is a papa. A boy.

Earl J. Glade, managing director of KSL, back from a business trip to Washington and New York.

Mary Scott, pianist with Dick Forecett's band, will soon realize a long ambition. Studying classes with ambitious concert in Kingsbury Hall.

L. A. Loeb is the latest acquisition to KSL as an executive. Halls from St. Louis.

## Minnesota

Stan Hubbard's Irish set came through a "reserve" winner in the St. Paul Kennel club's bench show last week.

Earl Gammons back on his game after a brief tussle with flu.

Corinne Jordan, KSTP's program director, entered two collies which collected blue ribbons in both St. Paul and Minneapolis dog shows.

George Jacobson, WDG's chief engineer, working all night on station's new 5,000-watt transmitter. Recently upped from 2,500.

Steve Robertson, formerly with KGPD (Huron, S. D.) and later with WRHM (now WTCN), is currently operating his P's and Q's for WDG.

George Putnam, youngest full-time announcer in the northwest, goes in as WDG's studio mgr., replacing Neil Searies, who's out.

WCCO's Triple Threat group, male trio with accompanist, start warbling Tuesday (19) over that station as the Peis Naptha quartet.

KSTP studio remodeling now complete.

The Ervin (WEEB) Kults bragging about their new gal, 3 1/2 pounds. Ernest Lechman, head of the Lakes composer, heard his latest brainchild, "Lullaby Dreams," premiered by the Mischa Bergman ensemble over WEEB. Sunday.

WEEB's Superior (Wia) studios all upset and torn apart in the throes of remodeling and enlargement.

KSTP's girls volleyball team still at the top in St. Paul's Class A volleyball league, with 24 wins and only 3 losses.

George Putnam and Steve Robertson, WDG's announcers, taking their early morning canters despite sloppy bride paths caused by the current February thaws.

Earl Gammons away for 10 days in Gotham, with a Detroit stopover on his return.

WDG's "White Heat" transcription program (only hot numbers) drawing 50 letters a day for the past two months.

WDG's installing automatic chime which offer different chime effects with each station break.

Only "Slim Jim" Iverson at WDG, standing 6 ft. 4 in., tops Roy Waters,

station's continuity man and staff announcer, who's one-inch shy.

Rome Roberts, KSTP's Minnesota Merry-Go-Round program, is really Stanley McGovern, public relations for the Minnesota Dept. of Agriculture.

Lynn Smeby, KSTP's chief engineer, has handed his gal a sparkler for the Peis Naptha quartet.

Charley Senner, who handles the Marzoni program over WDG, keeps herbebutts as "the laughing man."

Max Karle, WCCO announcer, oke again after a severe bout with laryngitis.

WCCO's Triple Threat group started warbling yesterday (19) on a twice-weekly stint for 13 weeks, with the Peis Naptha quartet.

Le Ferrier Sisters are now trilling nightly with the Paradise Islanders, Hawaiian guitar group, over WDG.

## Pennsylvania

Cameron King leaving WIP. He's a Horace Hustler organizing at WGN.

Paul Mason mentioned as leader of new WIP house band.

WCAU tying up amateur night show with Warner theatres as talent outlets.

Phil Bakery, "Beetle," Hank Ladd, in Philly visiting the missus, Franca, at Malloy at the Pennsylvania.

Nat Hamburger, ex-mech manager of Plum Department Store, here to associate with WIP sales department.

Leo Zollo's Ben Franklin hostelry band and the Tell Sisters trio set for an NBC net show out of WFL, soon.

Jan Savilla's WCAU house unit, dubbing for Buddy Durnin at the Arcadia on Tuesday while Durnin does the Ed Wynn show.

WDAS is due for a general overhauling after the new transmitter is erected at Woodside Park. Program will perk.

Red Hale, WIP staff pianist, leaves the studio to make a vaudeville tour with Jack Griffin's band.

Jack Benny, Mary Livingston, Phil Harris and Ray Noble, are clubbing with Leon Levy, WCAU prexy, all last week.

Virginia Davis, former vaude trouper and for the past two years, artist on WGAL, Lancaster, assigned skipper of WGAL Studio Players Group. Gal acts as director and cater for the outfit. Selects scripts, spots players and directs the show as well as carrying one of lead roles each of them. Group now has membership of 15.

John Greco, "Old School Master" of WCCO, has received the town's biggest valentine. Postman couldn't get it in station elevator so Greco had to come down three floors to open it.

Heisen Barnes, blues warbler of WSJ, Winston-Salem, N. C., and WBIS, Greensboro, N. C. guesting on WGAL, Lancaster.

Blackstone, airing his magic chatter over WGAL, Lancaster, while doing local engagement.

Future Farmers of America' return to WGAL with a series of 9 programs to run.

Earnie Stanzola, music director of WGAL, Lancaster, heading Capitol Theatre pit orchestra and having plenty of trouble hitting dead air at both ends. Rushes three blocks from station to theatre to do shows and then rushes back to station to make airings.

While making a personal appearance in front of Charles (Amos 'n' Andy) renewed acquaintance with Harry Lacey, former comedian, now an insurance salesman, who was Governor's home talent producing biz back in 1920.

Joe Penner's date at the Embassy, Reading, prompted manager Paul Glaso to tie-in the duck with local Dollar Day.

## New England

Walter E. Myers, New England sales representative for NBC, will deliver a speech before the Providence Engineering Society Feb. 23.

WBZ (Boston) prep planning a stage weekend "akey" party in the White Mountain Governor's Hall.

D. Goodwin heads the committee on arrangements, which includes Norman White, Governor's Southern (2) Public Utilities Co. and the retail radio dealers. WHIG, Greensboro, WFFF, Raleigh, and WBZ, Charlotte, N. C., are represented by proxy at meetings so far.

WBZ, Charlotte, program board news editor, replacing Paul Roberts, resigned. Mr. Belongy served WPG as chief engineer for a year.

Under the direction of Woodfin Mitchell, Burlington, N. C., business man, that town has organized a committee to try to eliminate radio interference. Co-operating are the Chamber of Commerce, the Southern White Mountain Telephone Co. (2) Public Utilities Co. and the retail radio dealers. WHIG, Greensboro, WFFF, Raleigh, and WBZ, Charlotte, N. C., are represented by proxy at meetings so far.

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will tribute to him when he left Beantown to join Cantor.

Robert E. Cantor, secretary, and Frank Reiley of Boston, to be blended March 8.

Duncan Slosser and Jimmy Sava, announcers, recently interviewed over WMAZ, Boston.

Beau Bernstein with a Providence advertiser agency conceals commercial program stunts and then airs them over WEAN.

Phil Saltman inaugurates a new Saturday series of Modern Jazz Piano Lessons over WEEL, Boston, on the 23d. Heard weekly at 5:30.

Bob Freeman, formerly in production dept. of WEEL, Boston, now in program-director's office.

Victor Whitman's "Whittin' Club" script unrolled on agency ears recently; may be aired soon over WEEL, Boston.

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## Texas

Harry McMahon, of the Tracy-Locke-Dawson agency, Dallas, burning up the mill on scrip for a new Texas Quality program to hit the air in April.

Identify of author for Greyhound bus lines program on TQG is being kept secret.

Barney Richards, or airs twice daily now from St. Anthony Hotel's Coconut Grove via KONO.

Charlie Caspar and Brooks Connolly do the spelling on the new tinside night broadcasts for KTSB, San Antonio.

Plenty of "Steamboat Bills" in southwest. Station of SBS is airing a Steamboat Bill.

Mait-O-Meat but spot is produced locally in each instance.

Ideal Walt Time spot on WFAA, Dallas, stretched to 15 mins. and now hits the air six times weekly via TQG.

## EASY ACES

NBC

7:30

Monday-Tuesday-Wednesday

"Vas You Dere, Sharlie?"

## GRACE BARKER

Solo Direction

HERMAN BERNIE  
1619 Broadway, New York

## LEON BELASCO

ARMOUR HOUR  
FRIDAY-WJS-9:30-10 P.M.  
NIGHTLY, CASINO DE PAREE  
Broadcasting-Coast-to-Coast-CBS  
Direction, HERMAN BERNIE  
1619 Broadway, New York

## fred allen's

"TOWN HALL...TONIGHT!"  
at  
HOUR OF SMILES  
with  
PORTLAND ROFFA  
JOE SMITH  
LIONEL STANDER  
BROOKS  
MINERVA FLORES  
ELLEN DOUGLAS  
Material by Fred Allen and  
Harry Dugan  
Management by Walter Batchelor  
Wednesday  
9-10 P.M. E.S.T.-WEAF

## JOHNNY GREEN

AND HIS ORCHESTRA  
WITH MARJORIE MAXAN  
AND JIMMY FARRELL  
WABC-Coast-to-Coast ★  
Tues. and Sat. 11:30 P.M. E.S.T.  
Columbia Broadcasting System  
COLUMBIA RECORDS

## LUIS ALVAREZ

TENOR  
"Let's Dance" Program  
WALDORF-ASTORIA  
VICTOR RECORDING ARTIST  
Direction, MARY SHANK









## NIGHT CLUB REVIEWS

(Continued from page 47)

Nudity, and it's just that. Central theme is the displaying of a flock of nude girl dancers—Folly Berany, Vera Barlow, Gladys Roman, Melma Evans, Jacqueline Mignac and Vistrova—around the pool, teasing the dancer Mel (Melma's partner), who plays a forest giant. They enter via the floor, clothed, and strip around the pool, where it looks natural, and no indecent figures are unusually good, particularly Jacqueline Mignac, who is very young and tall, and Vistrova, a girl from the Caucasus, whose figure is supposed to be on the ancient Greek line. Misses Mignac, Evans and Vistrova do sing, as trained professional dancers, also do a number. All are watched as well in the pool, via a quivering mirror, as by direct vision.

Finale is led into by an unusually fine adagio number—Lutz, Geth, Bess and Bry—three men and a little girl who flies with extraordinary grace. Narrowness of stage makes their work all the more remarkable. A trained pigeon act tops off the show. Birds flying around over the pool add a touch of unique beauty to the atmosphere.

Vollera's idea is to compete with Pierre Sandrini's Tabarin as the popular nite spot. His show is now fully the equal of the Tabarin in beauty. Just catches the pep of the other spot. Certain positions and movement around the pool, for instance. Also, the main stage will be moved to the rear end of the pool, to help the customers whose tables are on the far side of the floor. Now they have to stand in order to see.

Next show, produced by Le Reveux and Mme. Vollera, will be called "Sex Appeal." Additional attractions will be Myrlo and Desha, American dancers; three American Gambarelli dancers left over from the Ambassadors show of two years ago, calling themselves Three Ritz Sisters; and the Angles Hungarian toe dancer; Valma Yami, oriental nude dancer; Baby Carney, acrobatic contortionist; maybe Joan Warner, if an American fan's new publicity here hasn't made her too expensive. Gipo Arbib is booked exclusively, and some of the acts are from the local Morris office.

Production is far too expensive to do anything but run further into

the red. This despite the fact that business is improving nightly. Even if Vollera gets the vogue he's playing for, his only chance for real money is to be able to reopen the gambling club, which in the past was the Lido's big revenue item and which is now closed. —Bern.

### ROYAL PALM

(MIAMI)

Only nite spot of its type in the downtown sector of this resort, the Royal Palm, seating approximately 1,000, is spotted on the banks of Biscayne Bay. Spot is intended primarily as a rendezvous for the natives, and is under the management of Arthur Childers, Miami Beach city official and former manager of the Floridian Hotel. Pete Loeb, maître-d'hotel, also has a following, both among natives and tourists. Room is tastefully decorated and lighted and with any break at all should draw good seasonal trade.

Opening night had Harry Richmond and Vincent Lopez in as guest stars, while the regular show, as Peter Higgins as its featured artist. Higgins, in fine voice, wowed 'em with "Irish Eyes," a couple of pop tunes and finished with a bang, the crowd joining him in tending "Wild Irish Rose," in community singing style.

Ten chorines and five showgirls, recently at the Ambassador, which folded here, were here with their set routines, produced by Flo Kelly. Brian McDonald, m.c., does the tenor, vocally for the girl numbers, and handles their assignments with neatness and dispatch. The Maxellos with their fine acrobatic turn draw in first rate fashion and get plenty of help from the more daring items in the audience for half results. Chic Scoggins' orchestra plays for the show and for dancing. Lopez band due in next.

Emily Von Loesen, toe dancer; Lynn Lewis, dancer; and Virginia Hays, doing taps, all fit in nicely, while the regular show, beautifully costumed and neatly lighted floor show.

Location, big capacity and the light dinner tap should result in favor of the Royal Palm. Most of the nite clubs heretofore situated in Miami proper have been located far off in the sticks and as a result have had office slidding. That obstacle does not apply here.

### STORK CLUB

(NEW YORK)

Sherman Billingsley's new Stork Club, like its predecessor, the survivors of the pre-repeal era, has kept space with the times only so far as the open-door idea is concerned. The high ceilings and vintage standards still obtain, supplemented only by a bit more elaborate lighting and decoration. That's the most marked change. Under the former whicker-low idea, such comfortable seating and lighting were primarily patterned as a case rather than cabaret.

Now with Hayward Powers heading a nice dance combo (there's also an alternating band), and V1 Bradley, Verelle Silestra and Gay Adams with singing and dancing specialties, it's quite a little show. It justifies the \$1 covert although the finger-baiting at 10 p.m. (from the \$2.50 table d'hôte) are exempt from the supplementary tariff—Drinks moderate and good. Bobby La Branche comes in this week as socialite entertainer.

Miss Bradley, making such good impression at the ill-fated Surf Club, repeats with her smart ditties at the Ivories to self-accomp, not to mention the regular show. The Verelle Sisters are the same nice looking pet blondes. Miss Adams vocalizes choruses with the Hayward Powers band. —Abel.

### Hollywood Country Club

(HOLLYWOOD, FLA.)

Hollywood, Fla., Feb. 15. Spotted 20 miles from Miami Beach, the Country Club, starting tonight, is the nite spot operating along the Florida coast this season. It has been consistently good under the management of Jack Stult, former operator of Chicago's Chez Paree. No interference here with the game and the regular show starts, the investigations and indictments, under way in Dade County not applying, Hollywood is a "dry" town. In fact the Hollywood C.C. does not hesitate to advertise in the Miami press every afternoon and evening.

A rolling roof permits dancing under the moon and the stars, which is a new feature.

Sophie Tucker, gorgeously gowned and looking as well as ever, is an attraction in the club. She has material and expert seamanship keep La. Tucker in a class by herself. Soph goes in for some dandy piano interpolations in her songs, but with Ted Shapiro at the baby grand, besides the songs. She left them after 20 minutes clamoring for more.

Balance of the show is rounded out by Nita Vernelle and Don Donaldson, ballroom dancers; Nina Olivette with Murray and King, comedy and dancing trio; D'Espy Trio, in a somewhat different dance routine; Ramon and Lucinda, Argentine hoofers; Sonia Dante, toe dancer; Countess Alabala, interpretative dancer, who leads the chorus routines; Ernest McChesney, tenor. Show is nicely paced and mounted. Ten girls, some of them are small looking and their three roles show enough nudity. Roy Maxon orchestra plays the show and provides the transportation that follows in satisfactory manner.

### Agnew Band Precedes

Jarrett in Chi Inn

Chicago, Feb. 19. Charlie Agnew band will follow George Olsen in the College Inn next week when Olsen starts a vaude tour.

Agnew band will stick for three or four weeks and then be replaced by the Art Jarrett band now at the Blackhawk. Understood that Al Roth's squawk against Jarrett's going immediately into the College Inn on Feb. 28 right out of the Blackhawk brought about the spotting of Agnew to put some spread into the hop of Jarrett from one loop club to the other.

Eleanor Holm (the Art Jarrett) will also be at the Inn as a singer. Reported her salary is \$850, with the Jarrett band in at \$4,000.

### Whidden Renewed

Los Angeles, Feb. 18.

Jay Whidden combo, which opened at the Young Hotel in Honolulu during the holidays, is continued for eight weeks to April 15.

Dick Jurgens combo, after tilting grosses at the Paloma ballroom here, is being continued at the spot until June 1.

Next MCA import to the coast will be the Henry Busse band, following Guy Lombardo, who has just opened a brief run at the Coccenut Grove here.

Lewis and Dody have been retained in the new Barrel of Fun, New York, show. Revised bill includes Percy Stoner, Robert Culbertson, Mac Kennedy, Gertrude Dwyer and Marion Kelly.

### BOOZE CHARGES

Oriole and Manhattan Clubs, Detroit, Got Liquor Raps

Detroit, Feb. 19.

Two of the town's best known niteries face closing this week, by the State Liquor Control Commission, if charges are upheld. Clubs are the New Oriole Terrace and Manhattan Club.

Charges is that both spots have been selling liquor after the 2 a. m. deadline and on Sundays, when sale of liquor is taboo.

### BUCK, BUBBLES OUT OF CASINO DE PAREE

Buck and Bubbles, colored-comedy team, were out of the new Casino de Paree, N. Y. show, with 24 hours after it opened Friday night (15) because of difference between Nat Nazarro, their manager, and Lew Brown, producer for the Casino. Squabble was over Brown's request that Buck and Bubbles change their costumes.

Nazarro, who was watching a rehearsal of the show on Saturday (16), objected to the changes Brown asked and was told to leave. Later Buck and Bubbles were yanked.

Jack Powell, blackface trick drummer, replaced the team.

### Femme Imps Jam Up Milwaukee Nat House

Milwaukee, Feb. 19.

Revocation of license is being sought by police for the 'Nut House, Harold Isheim's niterie, for alleged violation of the city morality code. Niterie recently billed a show as "Pansies on Parade." Show consisted of femme impersonators.

### Nab Balto 'Leggers

Baltimore, Feb. 19.

Two boys picked off downtown streets Friday (15) and docked in the Western Police station charged with peddling sheet music lyrics for a jitney a copy. First time in couple of years anyone has been arrested here for peddling the lyrics, though the loop district is at times clogged with such peddlers.

Boys are charged with disorderly conduct and failure to have properly licensed.

### Ellington to Europe

Duke Ellington orchestra shoves off March 3 to open March 13 in Copenhagen on the first lap of a 10-12 weeks' European itinerary embracing Denmark and the Scandinavian countries, Holland, France and England, winding up in that sequence.

Irving Mills, Ellington's manager, accompanies. Foster agency set the route.

### Chi Pluggers' Ass'n

Chicago, Feb. 19.

Local music reps are going ahead on the organization of a Chicago branch of the Song Pluggers' Club. At first thought they might form their own association, but then decided to start off affiliated with the New York group.

Membership committee is composed of Willis Horowitz, Joel Stool and Chester Cohn.

### MAX COHEN, CANDIDATE

Baltimore, Feb. 19.

Max Cohen, operator of the loop jittery, Oaia, has entered the open fight being staged by a slew of candidates for election to post of president of the city council. Public will poll the matter on April 15.

Cohen is the first showman around here that has ever aspired to so high a political office. Number of local theatrical prominent and some newspapermen are backing him and publicizing his candidacy.

### RUM RAPS CLOSE TWO LARGE OHIO NITERIES

Warren, O., Feb. 19.

Hollyhook Gardens and Carrioca, two ace niteries clubs of eastern Ohio, are dark as the result of having their liquor permits revoked by the state liquor commission at Columbus. Both spots prior to folding were attracting patronage from all over eastern Ohio, including Cleveland.

For several weeks the two clubs competed against each other with radio and stage agencies, who had to pay \$1,500 a week, in addition to supporting bills of five and six acts and name dance bands.

Hollyhook, the 'more ritzy of the two, was first to get in a jam with the state booze agents, when it was accused of selling liquor after hours and on Sunday and permitting gambling. Carrioca permit was lifted when state agents found evidence of selling after hours and on Sundays.

Merry-G-Round at Akron remains its place as the big niterie in these parts with the two local clubs out of the picture.

### Fields, McHugh Wanted By MG for Team Turner

Hollywood, Feb. 19.

Metro is dickering with Dorothy Fields and Jimmy McHugh to write the tunes for the Joan Crawford-Clifton Webb musical scheduled for summer production.

Pair currently at work on Walter Wanger's musical, 'Every Night at Eight.'

### 9 Mos. Run

Pittsburgh, Feb. 19.

After a nine months' stay at the William Penn hotel, interrupted only by an absence of a few weeks last summer, Paul Pendarvis pulls out tomorrow (20) for St. Paul, but returns in May to reopen hostelry's summer Urban Room.

Replacing Pendarvis here is Eddie Lane, following a long stay at the DeWitt Clinton in Albany. Former soloist with Lane is Andrea Marsh.

### BUSSE HURRIES TO L. A.

Chicago, Feb. 19.

Opening of the Henry Busse band at the Coccenut Grove in Los Angeles has been pushed up a couple of months with Busse getting under way on the Coast on March 28. Orchestra now playing a route of vaude dates.

### O'HARE IN OMAHA

Omaha, Feb. 19.

Fontenelle hotel, content this far this season with temporary engagement of orchestra and only breakfast and holiday meals in the dining room, has signed Husk O'Hare for the rest of the season.

O'Hare will play daily.

### WALTER WINCHELL Says—

"Wonder who wrote 'If the Moon Turns Green'? ... It's one of the swellest tunes and lyrics in years."

DEAR WALTER:

### 'If The Moon Turns Green'

Was written by Paul Cates and Bernard Hanighen and is published by Irving Berlin, Inc.

In addition (for your records) we publish

### 'So Red The Rose'

and

### 'Pardon My Love'

Which we believe are also swellest tunes.

From

(Object of My Affection) Tomlin

We Have

### 'What's The Reason

('I'm Not Pleasin' You')

From M-G-M's "Times Square Lady"

Spina and Burke of "Beat of My Heart" and "Annie Doesn't Live Here Anymore" fame, offer

### 'Love Dropped In For Tea'

We think they rate orchids, we hope you'll like 'em

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# RKO on Name-Buying Spree Books

## \$37,500 in Acts with One Agency; 'Folies' 10 Weeks at \$8,500 Plus

RKO last week went on a heavy name buying spree to an extent that hasn't been ventured by that circuit in a couple of years. In three bookings days the bookers bought from one agency alone five attractions whose aggregate weekly salaries amount to \$37,500.

Agency chiefly involved in the RKO name bender was the Simon office. "Folies" booked along with their salaries, included the Chicago "Folies Bergere" show from the Chi French Casino at \$8,500 and percentage; Earl Carroll's "Vanities" and the Ben Bernie and George Olsen bands at \$7,500 and Gus Arnheim's orchestra at \$6,500.

"Folies" starts March 1 in Chicago, Arnheim May 10 in Chicago, Bernie April 26 in Chicago, Olsen March 22 in Cleveland and "Vanities" March 22 in Boston.

With exception of "Folies" the attraction are the same booked with Loew by the William Morris office, with Simon representing the Morris' acts on the RKO floor.

Last week's RKO name booking stretched the list of big coin names already set by RKO, including Joe Penner, Phil Baker, Paul Whiteman and the "Casino de Paris" show, which is being submitted to vaude bookers at \$3,800. So far there's been no takers. Agent is Irving Tishman. Salary is computed at the rate of \$500 a week for the foreman and \$200 for the others.

American Federation of Actors has written to the booking offices, prominent clerics and laymen decrying the booking of attractions listed on notoriety. Letter was signed by Ralph Whitehead. It was also sent to Cardinal Patrick Hayes, Rev. John Hayes Holmes, Rabbi Stephen Wise, Mayor LaGuardia of N. Y. and Mayor Brown, asking them to use their influence in preventing the booking of the jurors.

So far no takers among the booking offices, with bookers mentioning the fear of possible complications. Jury was tentatively booked for Fay's Providence, but pulled by Joe Feinberg, booker.

Following the run of the second "Folies", the first version, current at the French Casino in N. Y., will tour the RKO houses on a similar 10-week deal, probably opening in the east in Boston. Contracts for this show holds the starting date open.

RKO being able to get the show on two weeks' notice. Before coming to N. Y., first "Folies" played the Palace, Chi, for two weeks and will return there.

As with the first "Folies Bergere", the second version carries no names, the high nut going into production expenses and a cast of 75. Only American cast in the show is A. Bore. First "Folies" is headed by Emilie Bore.

# WASH. CHILD LABOR LAW IN TEST CASE

Washington, Feb. 19. Decision in court test of D. C.'s child labor law and its application to kid actors and musicians is due tomorrow (Wednesday) in case brought by District officials against Mrs. Dorothy Hodgkin Dorsey and involving Ruth Slenczynski, 16-year-old piano prodigy.

Arguments in the case were heard Saturday (19) before Juvenile Court Judge Fay Bentley. Defense said no violation occurred because Mrs. Dorsey did not profit from the child pianist's local performance, prosecution insisted that the youthful ivory-tickler was engaged in a gainful occupation in defiance of local regulations.

Perkins' J. C. Run Loew's booking office has taken on an eight week option on Johnny Perkins as house m.c. at Loew's Jersey City, N. J. Additional time will give Perkins 10 weeks' run at the spot.

Comedian came to Jersey City after a 16 weeks' session at the Alvin, Pittsburgh.

# What It Takes

Week before last Joe Laurie, Jr., got an SOS from the Warner office, which was stuck for a headliner, to do his single at the Earle, Philadelphia. Laurie accepted, though he hadn't taken the solo turn out of mottheads for two years.

After working Philly, he rejoined his old timer's unit for a week in Washington.

Now Laurie is rehearsing with a harmony trio and learning juggling on the side, figuring that by doing four different kinds of acts he may be able to work steady.

# SUBMIT H'MANN JURY AT \$3,800

Jury of eight men and four women, which last week convicted Bruno Richard Hauptmann in first degree murder for the kidnap and killing of the Lindbergh boy, is being submitted to vaude bookers at \$3,800. So far there's been no takers. Agent is Irving Tishman.

Salary is computed at the rate of \$500 a week for the foreman and \$200 for the others. American Federation of Actors has written to the booking offices, prominent clerics and laymen decrying the booking of attractions listed on notoriety. Letter was signed by Ralph Whitehead. It was also sent to Cardinal Patrick Hayes, Rev. John Hayes Holmes, Rabbi Stephen Wise, Mayor LaGuardia of N. Y. and Mayor Brown, asking them to use their influence in preventing the booking of the jurors.

So far no takers among the booking offices, with bookers mentioning the fear of possible complications. Jury was tentatively booked for Fay's Providence, but pulled by Joe Feinberg, booker.

# Par-Building a Tab 'Continental Varieties'

Paramount is building a tab version of "Continental Varieties" using Margo as its feature instead of the Lauren Boyer's legit version. Opening is set for the week of March 8 at the Metropolitan, Boston.

Carlo Medini, foreign casting agent to this country and not in the original "Varieties" version, will also be in the condensed revue.

DeRose, magician, and Rafael, violinist, features of the show produced on Broadway by Harold B. Franklin and Arch Selwyn, will make up the rest of the cast in the Hub.

# RAND PRESENTS

Fan-Dancer Presenting Serious Torpser in N. Y. Recital

Sally Rand turns Improviser on March 10 when presenting a serious dancer, Kohana, in a recital at the Guild theatre.

Fan dancer herself is currently holding over at the Fox, Brooklyn.

# Mitzi in Unit

Mitzi Green has been added to the cast of the outside produced "Live, Laugh and Love" unit by Paramount in the city's house Jack McAllen and Colette Lyons are the unit's feature elsewhere. Minnie revue opens for Par at the Metropolitan, Boston, Friday (22).

# WB Sloughs A. C. Vode

Atlantic City, Feb. 19. After a month of weekend shows, the Earle (WB) has given up vaude and house is shuttered again. This leaves weekend vaude at the Hollywood and the Steel Pier. Both have pix in addition.

# BOREO BANKRUPT

Lists His Liabilities At \$14,772, With No Assets

Emil Boreo filed a petition in bankruptcy with the New York Federal Court last week. Schedule attached to his plea for a financial bath gave his liabilities as \$14,772 and assets, none.

Boreo is currently in "Folies Bergere" at the French Casino on Broadway.

# RKO Nabe Vaude Dwindles; Blame Talent Shortage

RKO's nabe vaude splurge of last fall, involving eight theatres in Greater New York, has dwindled down to three, with these in a problematical state. Most recent dropout is the Franklin, Bronx, where the nabe experiment was begun and which relinquished vaude Saturday (16).

Only houses left on the RKO, N. Y. nabe book now are the Coliseum, playing vaude four days on first-half only; Tilyou, Brooklyn, three days; and Madison, Brooklyn, two days. Stage shows in the Fordham and Chestnut, Prospect, Brooklyn, and Richmond Hill, Queens, were yanked some weeks ago.

Nabe vaude started in healthy fashion on just above code budgets, but then dwindled. RKO attributes the letdown to scarcity of playable acts at the salaries which the low-scaled theatres could meet.

# Harriett Hilliard to Be Placid Ice Queen

Saranac Lake, Feb. 19.

Harriett Hilliard, featured with Ozzie Nelson's orchestra, will act as queen of the Winter Ice Carnival at Lake Placid. Crowning will take place at the local arena Friday (22).

Lowell Thomas, radio commentator, will act as m.c. He was crowned king last season.

Marilyn Miller was a first choice by business arrangements will keep her away.

# DENIZON VICE BOWMAN

Helene Denizon replaced Patricia Bowman Friday (15) as featured danseuse in the Capitol, N. Y., hold-over show with the fifth week of David Copperfield's run.

Miss Bowman goes to the Coast for four weeks at the Paramount, L. A., previously contracted.

# AFA's Squawk for Changes in Vode Code Pigeon-Holed by NRA Execs

Washington, Feb. 19. Criticism of vode clauses of the film code by the American Federation of Actors has not received consideration so far by the National Recovery Administration and sign-point-to pigeonholing of the long brief filed by Ralph Whitehead.

With revelations suggested by the code authority all set, execs Monday (18) indicated the government's Board in connection with the current study of all labor policies. Deputy Administrator William P. Farnsworth has taken no steps toward sounding out advisers and the house is suggested modification. Farnside is waiting for marching orders from the front office before fixing into a matter which so far is strictly in the hands of his bosses.

Just how much consideration Whitehead will get from the board is problematical. Balies of almost identical soundings are filed weekly and following the January policy talktests and it is manifestly impossible for board members to give thorough consideration to each demand for specific change. Board precluded a possibility that it will order reopening of the vode clauses on Whitehead's account when it announced before the hearings that no detailed complaints would be received and that evidence must be confined to broad questions of fundamental policies.

In the normal course of N.R.A. procedure it is expected that the Whitehead brief will be passed down the line to Farnside with a request for his comments, but even this process will take weeks to complete. Farnside has received a copy for his information, but so far has had little time to dig into the document and has not conferred with the A.F.A. head about his ideas.

# Friedman, of Loew's, and Walters, Of RKO, Will Talk for Agents in Albany Against License Measure

# Billing the Coopers

Hollywood, Feb. 19. Yarn going local rounds is about a chap who had a pigeon act and laid off for a long time around here finally getting a job at the Golden Gate, San Francisco. Not having transportation means he went to the birds and told them to meet him a week hence at the stage door of the theatre as he would hitch hike.

When arrived upon days later he saw the birds at the stage door with a bandog look. Cliff Wort then greeted him and said, "Sorry but you are cancelled." The actor queried why, with the manager replying, "Your birds played Sacramento three days without you."

# RKO KEEPING BOSTON VAUDE

Boston, Feb. 19.

Instead of switching the Keith Memorial to straight pictures entirely after the month (February) of big stage shows in celebration of B. F. Keith's 62d anniversary, RKO will continue the name shows on a now "n" then basis. Plan is to play vaude four weeks at a clip every few months with the house otherwise in straight pictures.

At the RKO Boston, where locally produced units were dropped when the stage shows went into the Memorial, independently produced units are being booked to play this town as the second of two-week tour with Providence. Current unit is Bowery Hall. Others to follow are "Saxophone Serenade" featuring "Platinum Blonde", Blackstone, and Ken Murray in tab version of "Vanities."

# 3 BALTO KIDS LAND

Baltimore, Feb. 19.

Pair of local performers—found wedges into vaude last week, Helen Meeks, warbler who has been playing amateur shows and niteries, has been given a week by Loew's Jersey City, Friday (22).

Other localities receiving a break is Joe Bennett, who has been chanting on the air for some time. Tried out by Benny Davis, who was in town last week, Davis was given a three-year contract with Davis' revue. Lad won't start with the show till next autumn, however.

Agents will not find it necessary to bankroll a fight on the latest employment agency bill, introduced in the New York State Assembly by State Senator Cuyler, which in its present form would hog-tie their business. With the bill also a threat to the present operation of vaudeville booking offices and the NBO and CBE artists' bureaus, the lawyers for these will handle the matter for their respective firms and include the agents' side at the same time.

Johnny Hyde, head of the Loew agent's association, and Maurice Rose, proxy of the RKO reps, have been assured by Henry Walters of RKO and Leo Friedman, counsel for the Loew circuit, that the agents will be fully protected by them.

Walters is writing amendments to Cuyler's bill for submission to the State Senator to exclude all agents as well as the booking offices, which are already licensed as employment agencies. Cuyler's bill is an amendment to the New York employment agency law presently in force.

# Meeting Off

With the word that the Loew and RKO circuits would defend a joint meeting of the RKO and Loew franchised agents, scheduled for last week, was canceled off. Agents last summer put up \$1,000 to contest an attempt by N. Y. License Commissioner Paul Moss to license them as employment agencies, engaging them in New York for any reason; agents could not pay licensing fees in General Sessions. Since then Moss has persistently stated that some day the agents would be forced to submit to licensing.

According to the Cuyler amendment, booking offices could not give employment in affiliated theatres; minors could not be employed anywhere in New York for any reason; agents could not pay commissions and would have to file a schedule of fees with a specially appointed Industrial Commissioner; nor could they accept anything over what the schedule calls for. Licensing fee would be \$100, plus the posting of a \$3,000 cash bond.

Besides all this, the Industrial Commissioner would have the arbitrary power of revoking a license with or without a complaint, which the agents claim would enmesh their business in politics.

# Pitt's Name Competish Is One-Sided; Loew Gets 'Em, but Not WB

Pittsburgh, Feb. 19.

Quick repeat for Ted Lewis, who returns to the Penn Friday (22). Ork played here only four months ago in opposition to Dick Powell's personal at the Stanley. This person will have held to himself, Stanley-deciding to chance it on Rudy Vallee's slicker alone, "Sweet Music".

WB finding it tough to garner stage names for Stanley, which Penn has a flock of headlines on the way. George Jessel follows Lewis, with Cab Calloway. Dave Apollon, George Olsen, Ethel Shutta, and Eddie Cantor-Dave Rubinoff due to follow.

# Remodeling Old Majestic, Milwaukee, Into Stores

Milwaukee, Feb. 19.

Majestic former Orpheum, and Western wheel house here, lately RKO, with a rockite store in its lobby, is to be remodelled. Schlitz brewing company, owner of the site, one of the most valuable pieces of downtown property here, has let contracts to remodel it into a store office.

Housed in the Majestic building, 12-story structure and one of the town's first "skyscrapers", the interior of the theatre will be rebuilt to house a variety store on the main floor and six stories will be built out of the old balcony and gallery. All furnishings and furniture, being antiquated, are being junked.

## UNIT REVIEWS

## 35 CRAZY PEOPLE

(ORPHEUM, MINN.)

Minneapolis, Feb. 15. This new 70-minute Olsen and Johnson revue, which will be expanded into a two-and-a-half hour one-night stand touring attraction, sizes up as the best of the slam-bang comedy recent offerings. The talent is improved and the entertainment more diversified. While O. & J.'s routines do not wander far away from the patterns which have been standing them in good stead these many years, juggling, magic and free-acting contributions combined with slapstick, rough-and-ready nonsense, song and dance make for an even spicier and livelier conglomeration than usual.

Revue really is in two parts, with the first mostly a noisy slapstick hodge-podge of comedy business resurrected from past Olsen and Johnson shows, and the second largely of specialty numbers in front of Charlie Strong's 12 Admirals stage band which works in the pit during the initial half-hour. Show gets off to a wild, loopy, ear-splitting start when crazy stogoes and maniacs run across the stage and through the auditorium shooting off revolvers and exercising their lungs. It's no place for timid folks.

A parade of the entire company led by a noisy drum corps up and down the aisles continues the commotion and racket. When the en-

tire company, beating drums and playing "fife and bugles" goes through a series of march formations on the stage there's a tiny midget to twist the baton.

During the first part the funsters repeat brief skits that they've done here before one or more times, including the ear business with the dog, the Paul Revere burlesque, the Wall Street slam and the Daniel Boone episode from "Take a Chance," all of them more or less laugh provocation. They're still untroubled by compunctions over bigness and refuse to disappoint the admirers by going delicate or refined.

There are a large number of specialty performers, and in a fast-moving 70 minutes, they can only dispose themselves briefly. Working in the first part and in front of the band are the good-looking Caron Sisters, who dance; Rush McCann, who mouths lighted matches and other burning goods; Shirley Ross, clever buck and winger; a magician who performs several feats; a trio of women crooners; an outstanding female dancer; and a young woman singer; Lelf Ericsson, a youth who warbles from a stage box, and Johnnie, a young man who feeds all the acts and interprets the proceedings with comedy bits.

With Gene Austin and some more talent and girls added, this should be a corking two-and-a-half hour show at \$1.10 top for the seats. Certainly it will be the latest entertainment ever to hit the one-nighters and undoubtedly will send the customers away in a happy frame of mind.

Shaw brought 'em in here. Biz good at the performance caught. *Reas.*

## International Varieties

(SHEA'S, TORONTO)

Toronto, Feb. 15.

Dave Apollon has another week this season in his new International Varieties. Unit has youth, good tempo and sufficient novelties to hold up for 64 minutes. Will have to be cut, but its going to be a task to eliminate last sequences in a 64-minute spasm that has the audience clamoring for more after each specialty.

Apollon proves that a show can be a consistent laugh-puller and yet be spotless. Show is brand-new and looks so. Variety and talent are predominant. Simple full-stage set used throughout. As is, 'International Varieties' needs no revision. However, the Russian lad plans to work in a 12-girl line and Stetson, the hat-juggler, when unit arrives in Washington after another week's rehearsal in New York. As caught, Apollon doesn't need the girls. With some trimming, 'Varieties' has a wealth of material to go on.

The 10-piece Filipino orchestra is still retained, with Harold Aloma doing the warbling step-out. Danzi Goodell is another hold-over with her eccentric dancing. New are Luba Melina, gypsy singer; Evelyn Fox, comedy warblers; and Lowe, Burnoff and Wensley, burlesque adagio trio.

Despite Apollon's prowess at the piano, plus his balalaika and his Russian dance routines, the lad is generous and never forces. With most of his artists scoring show-stopping records here on the first night, unit gallops along to a fast finish. 'Varieties' is reminiscent of England's 'crazy week' shows, without the slapstick.

Band is on for opening in full, with Don Morell in second spot for an acrobatic dance. Mignon, half-pint, brunet, trails for two vocals. Lass has everything and goes over socks. P.A. system used throughout. *McStay.*

## New Acts

JERRY BAKER

Tenor

7 Mins.; One

Academy, N. Y.

Rather hard to pass on this hearing, as new act was inserted so casually into stage offering that it did not stand out much and way of the other. Another performer took over the reins of m.c. and began introducing people right and left. Following two numbers, the tenor was escorted from the stage abruptly by this announcer.

Jerry Baker's air reputation is built on his long-running Sally's Fur studio commercial. Audience aware of this and gave him a nice reception. "Thinner is You Are So Beautiful." Two numbers given in entirety were "College Rhythm" and "Five of Cups." Then the quick exit. Radio singer in good voice, but could stand more definite routine when before the footlights.

BOB HOWARD

Pianist, singing

A Mine; One

Academy, N. Y.

Colored pianist and comic singer is a regular broadcaster over WINS, N. Y. Claims to never have taken a plane lesson, but apparently has enough rhythm in his fingers to pour out a foot-tapping tune. His singing, though, is smoother than his playing.

Personality is his long shot, having an infectious smile and considerable casual banter. Comes out with a cigar in his mouth and, after some slight remarks, tosses it aside for serious song. Songs all carry the Harlem stamp and stomp. Poor microphone set-up marred the best results here, though.

With a little classier dressing, Howard can come right along. Talent, such as it is, is sold well.

HACKETT and TREISBAULT (3)

Dancers, Acordion

13 Mins.; One and full (Special)

Loew's Orpheum, N. Y.

Joanetta Hackett this time offers as her closing number the "Dance Savage," which, with her partner, she performs to the tunes of an accordion played by a lad in tuxedo who rests against the proscenium wall. Duo opening number in modern evening dress presumably is interpretive of a honeymoon night. Both are okay and Miss Hackett is costumed attractively, as usual.

The acordionist trots out for a solo in one following the opening number, which is done in full in an apparent honky-tonk setting, or maybe just a cafe room.

Opened when caught on a four-second key-out and pleased. Simple lighting, okay. *Shaw.*

BILLY and BEVERLY BEMIS,

Dancing

10 Mins.; Full

Golden Gate, San Francisco

Dancing sister and brother have all the makings. Still in their teens they prance in the modern manner, using their own routines as well as doing one or two numbers adapted from the screen. Team won a hold-over week here. Pair were featured in "College Rhythm" (Zee) and never appeared in public before this screen work.

Youngsters open with girl in evening frock and boy in black tie. Offer fast mixture of tap and ballroom, switch to a hot interpretation and close with their own version of "Cucuraca." Also a comedy item, in trick college regout.

Youngsters get a sense of timing, girl is a looker and kids ought to go places. In fact, they're on their way to London.

## St. Paul Revival

St. Paul, Feb. 19.

Paramount brings back vaude on a three-days-a-week basis, beginning either Friday (20) or March 1. House, during November and December, used four weeks of units, each playing a full week, but difficulties with St. Paul Musicians' local, agent stand-by orks, caused their yanking.

Across the street Orpheum brought vaude back to this town last September, using acts three days and playing straight flickers the other four days. Paramount's plan is to re-install flesh and play it the same three days as the Orph.

## Scollay Sq. Drops Vode

Boston, Feb. 19.

Scollay Square theatre went to straight piz Friday, Feb. 15, dropping the seven-act stage shows. Vaude was booked through William Morris agency in N. Y.

New policy is double feature films, first and second runs.

## Fetchit's Vaude Tour

Stepin Fetchit is coming east for vaudeville, on a Fox studio leave, opening for RKO in Chicago. Colored comic is salaried at \$2,000 net.

## Arms Ready Second Unit for Cushman Swing

Los Angeles, Feb. 19.

Bill Arms, agent booking manager for the Wilbur Cushman circuit, has returned here to stage a second unit, to be labelled "Arabian Nights."

Arms' first unit, "Rio Nights," opened on the Cushman train three weeks ago.

## Traveling Amateurs

Rochester, Feb. 19.

Amateur shows at the RKO Temple have been developed now to the point where Ray Fagan, m.c. and former Keith circuit band leader, builds up a unit show, with the Temple talent and gives the artists dates in three-nabes and one Batavia theatre.

Fagan gives the talent a bit of training and some do-re-mi for their efforts, with each theatre kicking in a set amount for each show. Several of the amateurs have graduated into pro ranks as a result.

## Tyros' Added Time

Pittsburgh, Feb. 19.

Success of weekly Thursday night amateur show at Alvin has persuaded management to extend the idea and it'll be held two nights weekly from now on. Latest show open to the hopefuls is the Sunday mid-night performance, figured a natural for the hammer-and-tongs over that usually takes in these Sunday at 12 affairs.

Winner gets a week's engagement with salary at the Alvin.

## Bierbauer Moves Up

Charles Bierbauer, recently manager of Wilmer & Vincent houses in Pennsylvania, has been appointed district manager for the entire circuit.

He will make his headquarters at the State theatre, Harrisburg.

## SCHENCK'S VACASE

Marvin Schenck of Loew's goes to Hot Springs, Ark., Saturday (23) for a three weeks' vacation. J. H. Lubin returns the early part of next week from Miami.

Mrs. Schenck, Joe Phillips and Sammy Lewis will make up the rest of the Hot Springs party.

## GYPSY NINA TO LONDON

Gypsy Nina sails Saturday (23) for London to open an engagement at the Palladium. Still in front there she will go to the Club Casanova in Paris, returning to England later for a repeat date.

Tour will cover about ten weeks.

## RKO PUTTING UNITS INTO SHUBERT, CINCY

Cincinnati, Feb. 19.

Shubert theatre, leased by RKO, opens under new management March 1 with unit shows and piz at 35-40c scale. First stage show will be Marquis "Revue Continental." Bookings will be by RKO Chicago and New York offices.

Transfer deal was closed in New York. The theatre and the adjoining Cox, a 1,200-seat house, have been in receivership for some time. Cox will be future home of Shubert dramatic shows and Shubert musicals. If and when will be presented in the Taft auditorium located in the Masonic Temple. Shubert seats 2,200.

Cliff Bort will likely be transferred by RKO from the Albee to manage the Shubert. Shubert is seventh downtown house for RKO, which also operates the Paramount, Cincy's only suburban deluxity.

Nelson G. Trowbridge, resident manager for the Shuberts since 1925, will continue in that capacity.



## DIAMOND BROTHERS

The Bros. London, on March 7, 1934, said: "The Three Diamonds are, I think, the best candy act which America has sent us for a long time."

"Variety," Feb. 12, reviewing Memorial, Boston, said: "Diamonds came upon audience like manna from heaven."

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## Shuberts Plan Outdoor Circuit Of Musical Shows in 12 Cities

Chicago, Feb. 19. Outdoor "legit" in some half-dozen key cities of the country is in the making, with plans being drawn up now by the Shuberts, who for years have been directing the St. Louis' open-air summer seasons.

Plans for this expansion to other cities follow the report that the Shuberts will no longer be associated with the St. Louis municipal shows and that the direction is going to be taken over this summer by Laurence Schwab. No reason given for this split-up between the St. Louis many authorities and the Shuberts.

Shuberts are now working on plans to produce similar open air shows this summer in Detroit, Toledo, Cleveland and Pittsburgh. Each town would have a 10 to 12 week season starting early in June. Each opera or musical show would stick for two to three weeks, depending on its individual cluck.

### Song Feats

All shows will be musical, as were the productions at the Forest Park-open air shows in St. Louis. In Detroit the Shuberts are dickering for Nevyn Park, the American League baseball park. May use ballpark in other towns also, due to their seating capacity. In Detroit the regular picture theatres are putting up a yowl at the municipal enterprise, claiming that it's unfair competition for the city to compete with local enterprises which have their own money invested and huge taxes to the city treasury. Believed likely these objections will be overruled.

Shuberts will follow the St. Louis system of using regular professional leads but augmenting the chorus with local girls. In St. Louis the municipal opera, as it is called, uses from 100 to 150 local girls to strengthen the dancing and vocal chorus. Has been found that the relatives aid plenty at the box-office. Though employed for only these 12 weeks the girls all join Equity to make it a completely professional enterprise and to remove every taint of amateurishness.

### Legit Theatre

Shuberts are figuring on using at least the four towns in order to guarantee a 10 to 12 week route for each show, moving from Detroit to Toledo to Cleveland to Pittsburgh circuit, except for the local chorus.

With the 20,000 capacity arenas the plan is to hold the tariff down to get complete co-operation from the local authorities and societies with a likely top of \$1.50 and running down to 50c. for the lowest priced seats. A season of light operas has been set for Los Angeles this spring by Edwin Lester, who is now in New York seeking players. The operas will be presented at the Philadelphia Auditorium, starting the week of April 29.

Frank Gillmore in Equity's monthly house organ outlines a plan for the road along lines which he espoused before. He chafes producers, opportunists and individualists for not supporting the idea, saying it should have been tried 11 years ago when pictures and radio were making inroads into the amusement field.

Plan calls for a series of rotary societies; three companies to each series or unit. Each would open the same night, in each of three cities, moving at the end of the week. After playing the other stands the troupes would return to the starting town, having rehearsed another play in the meantime. About twenty such circuits are suggested, giving employment to 750 actors and 350 stagehands and musicians.

Equity head complains that managers could have pooled interests and kept the road alive. No mention was made of the proposal earlier in the season of a one dollar top circuit, managers proposing to start with 10 companies and guaranteeing 10 weeks. Equity was asked to regard such a project as stock but as the plan sought a 12 performance week Equity turned it down. Stock rules call for a maximum of 10 performances. Managers claimed to commit to devise a compromise plan, but the committee has not functioned.

## Family Censorship

Baltimore, Feb. 19. Censors are not alone in squeamishness. A local stock troupe composed of summer straw hat troupers has the Baltimore stock rights to "Sailor Beware" and wishes to open at Cushman's Hall tonight (Tuesday). During rehearsals three of the cast dropped out, explaining their parents objected to their appearing in the play.

## MAE WEST'S LEGIT PROD.

Hollywood, Feb. 19. James Timony and Boris Petoff, with Mae West as a client partner, are going little theatre and have leased the Hollywood, an 80-seater, which is being remodelled to seat around 225. Pair are also enlarging the stage to a 36x23 foot affair. Timony's plan is to produce around four new shows a year with the hope of getting Broadway material. Costs will be wholly professional. Little theatre was formerly a barn and has been operated off and on by Mrs. Lela Rogers, mother of Ginger Rogers. House will open after remodeling process, expected to take about three weeks. First play will be "Thunders of Silence," a dramatization of a story by Fred Stanley, of Warner's Hollywood staff.

### Dorothy Hall's Trip

Dorothy Hall leaves today (Wednesday) for the Coast to visit with her mother and spend two or three weeks out there. Not after a film contract—positively.

## Inside Stuff—Legit

Frank Wed, who authored "Casting Hero," which will be produced by Brock Pemberton and Antonietta Perry as soon as script revision is completed, was a flier during the war, having the rank of commander. Uninjured in the war, he later suffered a broken neck by falling down a flight of three stairs. Accident left him a virtual cripple below the hips.

Wed is free lancing film scenarios in Hollywood but planned to Chicago last week to meet the legit producers to talk over the rewriting.

"I Want a Policeman," by Rufus King and Milton Lazarus, was also accepted by Pemberton last week with presentation date for next autumn.

There was doubt whether "Field of Ermine" play adapted from the Spanish, would go on at the Mansfield, N. Y., Monday (18), although it had opened the previous Friday. Gross first full week was only around \$1,000, the reason for its shelving Saturday (18). Crosby Gaige presented his drama, but the coin was supplied by John Garrett Underhill, who adapted it from Jacinto Benavente's original.

Underhill, reputedly wealthy, is keenly interested in Spanish literature, which explains his desire to have this play reach the American stage.

Prague group of Moscow Art Theatre left Paris for the New York engagement almost in secret. Reason for the hush-hush was that Sol Hurok, impresario, sent a last-minute telegram from New York ordering Basil Rasmussen, one of the male stars of the troupe, not to come. Understood reason is fear that complications would arise from fact that Rasmussen once was closely connected with a household in Russia which since has got in bad with the ruling powers. He came, anyway.

William Anthony McGuire and Max Gordon met at the Santa Anita track on the Coast and latter queried the author as to when he would write a play for him. McGuire replied pretty quick if Gordon would produce anything he gave him.

Gordon said 'Yes' they shook hands and McGuire says he will have the manuscript ready within three weeks. He had no basic idea in mind at the time the deal was made.

Arthur Imperato, member of one of the quartets in "Anything Goes," Alvin, N. Y., suffered a heart attack in his dressing room at the Lincoln's playhouse manager. While putting on makeup the singer complained of illness and a physician was summoned.

John Walsh replaced him in the quartet. Imperato is a church choir singer in addition to his stage work.

John Mulholland, who appeared in the "Lamb's Gambol" at the club Sunday (10), is a professional trickster but has rarely, if ever, appeared in a theatre. He is booked for the platform as a lecturer but performs as a magician and manipulator. His torn card trick has the respect of other magicians.

Mulholland edits Sphinx, a magazine devoted to magic.

Three-year-old son of Clarence Curry, colored superintendent of the Mansfield theatre, N. Y., died of pneumonia Friday (18). Prominent physicians sought to save the child by transfusion.

Curry was formerly in the office of Billy Grady when the latter was an agent.

"Bitter Oleander," at the Lyceum, N. Y., marks the 20th anniversary of the Neighborhood Playhouse, rather inactive for several seasons. This Village group is headed and financed by Irene Lewishon whom the players called Iarchek, the Russian pronunciation of Irene.

## Theatre Union's Plays with Left Tendencies Cause B'way Chatter

### VOCAL TROUBLES

John McCormack Cancels, and Mary McCormack Fails to Show

Oakland, Feb. 19. John McCormack cancelled his local recital last night (Monday) when advance sale showed only \$1,000. Diction, follows. John Charles Thomas recital being previously cancelled on a claim of illness.

Mary McCormack's non-appearance with the San Gato troupe in Fresno, also last night, has locals checking report she won't play Hick towns, and that she named Fresno and Sacramento.

## SUNDAY LEGIT HEARING TODAY

Albany, Feb. 19.

Representatives of Actors Equity Association, musicians, stagehands and other theatre employees will come to grips over Sunday legit shows at a hearing in the State Capitol tomorrow (Wednesday) at 2 p. m. on the Berg-Neustein bill designed to permit drama and musical performances on the Sabbath.

Equity has announced its opposition to the proposal, which is supported by the New York State Federation of Labor, stagehands, musicians and others.

Bill is sponsored by Senator Julius S. Berg and Assemblyman Irving D. Neustein, both of New York City. In a statement, they said:

"We know of little or no opposition to this legislation except that voiced by the Actors' Equity and it is our belief that such opposition is predicated upon a misunderstanding. Most of the artists are in favor of the bill, especially since a provision is made for one-day of rest in seven. We have received thousands of letters from individuals and organizations throughout the state favoring this legislation, but despite their overwhelming approval we nevertheless want to give the minority in opposition a chance to be heard."

Hearing will take place before the Joint Assembly and Senate Committees on Labor and Industry. For the first time, the artists and the managers are combined on an issue, representatives of the stage hands and musicians going to Albany along with other unionists and the crowd to favor the passage of the Sunday bill.

Strongest managerial representation yet sent to the state capital for the purpose is made up of William A. Brady, Lee Shubert, Brock Pemberton, Richard F. Walsh, I. A. T. S. E. and Thomas Murtha; Fred Marshall, scenic artists; Theodore Mitchell, agents and company managers. Names of the musicians' union party were not definite, nor those of state labor organizations.

Equity delegation to Albany opposed to Sunday performances was headed by Frank Gillmore, secretary, accompanied by Selma Royla, Florence Reed and Madge Kennedy.

### Stall Gallo Chi Stock

Chicago, Feb. 19.

After months of negotiations, the plan of Fortune Gallo to install musical stock into the mammoth Auditorium has been postponed for this season. However, it looks as if the Gallo musical stock show will start with the new fall season.

Gallo is still negotiating in England for the rights to "Descent of Man," which he plans as his opening production.

### Ind. Civic Doing Well

Indianapolis, Feb. 19.

Civic theatre, under Frederick Bursleigh, new director in his first year locally, is doing the high spots in box office attendance.

Twentieth anniversary production was "Meet My Sister." Finished a nine day run with the best box record in history of the house.

Activities in the Theatre Union in presenting dramas with radical tendencies at the Civic Repertory theatre on 14th street, N. Y., are provoking controversy among professionals. So far the shows have been regarded as propaganda plays.

Easy enough to get into an argument and playwrights not enthusiastic about the shows are asked why they are in the house. Some upturners, aware of the radical nature of the audiences, refrain from making remarks while in attendance.

Curious angle to the Union's drama activities is the fact that tickets are exempt from the government admissions tax. Exception was ruled last year on the ground that the plays are educational, also that the Theatre Union is claimed to be a non-profit organization.

Last season group's best effort was a drama protesting against war, "Peace on Earth." Current "Sailors of Cattaro" tells about the Austrian revolution. Next play by the Union is "The Pit" (re-titled "Joe Kover'sky") said to be a protest against the low wage of miners. Other plays listed are "Stripped" and "Dollars."

Group theatre, which originated as the Theatre Guild's Studio, and which presented several plays with Guild backing in the past, is minded only within its organization and is said not to be interested in any outside left or right movements. However, the group presented "Waiting for Lefty" at the Belasco, N. Y., Sunday (10) last week. Play dealt with New York's taxicab strike of last year. Nearest to a radical play previously was "1931," which mostly had to do with unemployment.

Plays presented by the Union and other downtown groups are generally by authors who are frankly radical.

One of the most recent groups to have taken form along Theatre Union lines is called the Theatre of Action. Executive board, as announced, includes John Howard Lawson, Lee Strasberg, Erskine Caldwell and Moss Hart. Last year's name caused some surprise.

## ALBANY BILL TO STOP BENEFIT RACKETEERING

Albany, Feb. 19.

Assemblyman Albert D. Schanzer, Brooklyn Democrat, has introduced in the legislature a bill aimed at stopping racketeering in the sale of tickets for benefit performances.

It would put teeth in the law to give district attorneys and police more authority in curbing what Schanzer describes as the shady practice, injurious to legitimate and honest charitable enterprises, of selling tickets for theatrical performances that never arrive, while the promoters pocket the proceeds.

### Minelli to Shuberts

Vincent Minelli has left the Radio City Music Hall, New York, and joined the Shuberts. Understood he has a two-year arrangement with the latter to stage all their musicals.

Minelli started at the Music Hall as a scenic designer, but was elevated to staging and producing shows, some months back.

### Toledo's Guild Duo

Toledo, Feb. 19.

Two New York Theatre Guild successes will play in Toledo in March. They are "Ah Wilderness," booked at the Paramount for March 10, and "The Reluctant Pilgrim," at the same house, March 18. Both are being brought here by Flora Ward Hineless. Patrons will be urged to reserve the same seat for both plays with the opening of the box office today (20).

### Coast 'Miracle' Folds

Hollywood, Feb. 19.

"Small Miracle" closes at the Capitol Saturday (23).

Henry Dufy undecided whether "Farmer Takes a Wife" or "Page of Love" will follow, having difficulty lining up a cast for "Farmer," but will decide early this week so show can go into quick rehearsal and open about middle of next week.



# Federal Trade Commish Will Duck Responsibility in 'Free Show' Tiff

Washington, Feb. 19. Federal Trade Commission will duck responsibility in free show warfare between pictures, legit, and broadcaster, according to all available signs.

First denying and then retracting, Commish admitted last week receiving resolution from legit codists urging investigation of alleged unfair competition by broadcasters, but attaches indicated nothing will happen. Excuse is that no offense against interstate commerce is involved and that commish is not authorized to consider competition between industries.

Resolution, submitted more than a month ago, has been referred to legal experts for study, according to official explanation, because of doubt whether the condition complained of falls within the scope of the commish powers. Blackboards have not reported their conclusions, but it is extremely doubtful if they will advise that further action be taken.

Up to N. R. A. Unexpressed Trade Commish attitude is that the free show issue is a matter to be settled through the N. R. A. rather than fit subject for federal investigation and possible issuance of cease-and-desist order. Old sensitiveness and jealousy in N. R. A.-F. T. C. relations is evident. Since resolution was received, trade group has failed to consult N. R. A. and has given no indication it will follow such a course.

Trade Commish has confined its investigations throughout the most of its existence to complaints within a single industry, involving individual units accused of unfair competition, and seldom if ever has attempted to keep one industry out of another's territory. Likewise, most of its attention is directed at gyping and duping, which the commish regards as a particularly vicious type of unfair competition.

## A.T.S. FUTURE IN PITT DOUBTFUL; WEAK PLAYS

Pittsburgh, Feb. 19. Increased flood of protests from subscribers is putting the American Theatre Society in a spot locally and the organization's chances for next season look extremely doubtful. Objections were made long and loud last week when another weak try-out, 'Bishop Misbehaves,' third in a row, was presented under the society's auspices.

Subscribers claim the A-T-S hasn't lived up, even remotely, to its prospects, insisting they're getting, instead of the promised true-and-tried successes, feeble tryouts, about which it can do nothing since their coin is in the till in advance. 'Bishop Misbehaves' was the third of the A-T-S 34-35 series. The other two were 'Valley Forge,' which lasted only six weeks on Broadway, and 'Ole to Fortune,' which expired in a week.

Outlook is further darkened by the fact that the Nixon hasn't a thing in sight to offer the subscribers for their already paid-in remaining three plays. Fourth was to have been 'Eva Le Gallienne's L'Algon' week of March 4, but that has been cancelled. Third play, however, 'Bishop Misbehaves' booking, was 'Gather Ye Rosebuds,' which closed the week. It is generally agreed that the protesting groups even more ammunition to use in their bombardment.

Protests have become so numerous that the Nixon may not even try to sell subscription strips next season, figuring it would be of little use anyway. This has been the weakest legit year in history around here, only the big musicals showing a profit. It's generally agreed that without subscription backing, the three A-T-S shows would have all died badly at the b.o.b., since there was little window sale for any of them.

### Akron's First

Akron, Feb. 19. Colonial here will have its first legit of the season on Feb. 26 with a one-night presentation of 'Ziegfeld Follies.' George M. Cohan in 'Ah-Wilderness' comes to the same house March 4.

## GEO. SHARP'S LUCK

Pittsburgh Rabbit's Foot Town for Showman 'Stew' Glicks

Pittsburgh, Feb. 19.

Pittsburgh continues to be the good luck city for George Sharp, veteran showman, as his 'Drunkard' goes into its 24th week at the Fort Pitt hotel, playing almost nightly to capacity. About 10 years ago Sharp brought an 'Able's Irish Rose' troupe here and remained 42 weeks, longest run ever achieved by a legit locally. Five years later, he started a stock venture at the Pitt after a number of showmen had flopped dismally with repertory and stayed around for three successive years.

## Too Cumbersome, Tour of 'Merrily' Off After Wk.

Perhaps for the first time in legit records a definite Broadway hit was withdrawn from the road after only one week. 'Show is 'Merrily We Roll Along' which was brought back in after its first week away from New York. Show opened in Philadelphia Monday (11)-last week and stopped Saturday.

Decision to end the tour came almost immediately after the Philly premiere at the Chestnut. By Wednesday it was figured the show would not gross more than \$9,000, a figure under the lowest gross in New York at the Music Box, where the early season stand-out played approximately five months. (19 weeks).

Sam H. Harris, who produced the George S. Kaufman-Moss Hart drama, telegraphed from Palm Beach and ordered the show pulled off. Manager was opposed to touring 'Merrily' because of its high operating cost. Picture rights had been sold for \$75,000 on total expenditure it was \$30,000 ahead on Harris's books because of the film coin. During its Broadway run 'Merrily' did not really earn back its original cost through operation, picture coin putting it ahead.

Because of the mechanical requirements, 'Merrily' was not tried out of town and for the same reason Harris did not believe a road tour was feasible. He ordered the baggage cars to haul. Several weeks prior to the Broadway closing the company was cut from 81 to 75 players and 11 men were dismissed from the stage crew after the settings were revised.

Even then 'Merrily' called for grosses which approached the even money mark for musical shows. After its Philly opening Harris was informed that for succeeding dates it would be necessary to pass up Mondays and open on Tuesdays, because a full stage crew rehearsal was necessary. That was the finishing straw for the producer. It had been booked for two weeks in Philadelphia.

Picture rights were sold with a release date for next fall. Closing of 'Merrily' voids that stipulation. All of 'Merrily's' settings except that used in the opening scene were left in Philly and will be destroyed. Show started with three baggage cars and came back with one, that comprised used for the many props and electrical equipment.

## Macloon on Prowl

Los Angeles, Feb. 19. Production here has Louis O. Macloon shopping for a new play. Has 'Trile Friganza' and an untitled stage piece in mind.

## Beckwith in Texas

San Antonio, Feb. 19. Frank Beckwith has stepped out of the Hedgerow theatre group to take over reins of a local little theatre. Touring Hedgerow players recently did a series of plays here, at which time Beckwith was contacted. With him is his wife, Frances Torchiana, who is aiding in production, though not-officially. Beckwith is now readying 'Tillman' and 'Animal Kingdom.'

# Reported Ducat Committee Will Recommend Dropping of Control Clause from Code as Unworkable

## LEBLANG'S UPTOWN

Advances Priced Ticket Sale for Branch; Cut-rate Sale Remains

Leblang's will establish a branch office at the a.w. corner of Broadway and 52nd street, branch to operate with advance price tickets (Postal-Leblang's) while cut-rates, as at present, will remain in the 43rd street headquarters. Branch was decided on by the agency to keep pace with the trend of legit shows further northward from 52nd street, now virtually dead for legit. Branch will have quarters in a store operated as a 'playland' consisting of marble games and other gadgets. It will open April 1.

Word along Broadway early this week was to the effect that the special ticket committee appointed by code administrator William E. Farnsworth 'some time' ago would recommend the ticket control system be removed from the legit code on the grounds that it is unworkable if not inequitable.

Although members of the Code Authority were loath to discuss the report, as was Philip Wittenberg, C. A. counsel, it is reported that the majority of the management committee, including the C. A., have already come to the same conclusion.

Awaiting the report of the special committee, deadline for which has been set back several times, the A. A. made no mention of the ticket situation last week, but several developments are due next week. Several manager-members of the C. A. being in Albany on the Sunday show legislation there will be no C. A. session this week.

If the report about the recommendation is correct, it is claimed that those who framed the ticket code outsmarted themselves. Since several weeks ago that some of the Authority members were of the opinion that ticket control should not be part of the code but that the theatre League is more properly constituted to handle the situation. At one time it was intimated that Washington would be asked to delete the rules.

### Court Proceedings

Since then, court proceedings by groups of independent agencies resulted in a ruling that the code is a contract and if the complainants did not sign it they have no grounds for action because not committed. Wittenberg, quoted as having framed the ticket provisions along with Farnsworth, declared the control system was made in the form of a contract between the Authority and the brokers, who quoted as not later complain that the rules constituted price fixing, ruled illegal by the New York courts.

Ticket matter as it now stands has some agencies bound to abide by the control rules, while others are going along as they please. Means that those who signed and took out C. A. licenses are at a disadvantage. There appears to be no way for the other side to sign which, if true, makes the system unenforceable.

Proposal to turn to managers by prosecuting any who are doing business without the code, are not aroused some feeling among the showmen, none of whom want to take the slap.

It is further indicated that, while part of the special ticket committee is in favor of trying to enforce the ticket rules, a majority wants the rules out of the code, and the report to be made will be decided on by a majority vote.

Much of the Authority's time has been consumed in talking tickets from the very inception. That has been a topic of criticism by showmen who hoped the code would address the ticket matters in the business. Revised code was delayed in completion, so that the ticket system could be made air tight, in theory at least.

## Schnozzola Due For Hipp Circus; Opening in May

Jimmy Durante is practically set for one of the leads in 'Jumbo,' circus musical, which Billy Rose is preparing for production, sketched to open by May at the Hippodrome, N. Y., for a summer run. Doesn't want to give an absolute yes until finds out what Metro will do about his contract, which expires May 26. Play with music revolves around a circus idea. Inside of the Hipp is to be rebuilt, according to Rose's idea, with a tent-top, benches, and a sawdust ring in which action takes place. Book is by Ben Hecht and Charles MacArthur, music by Kern-Hammerstein.

Rose wants to further continue the circus atmosphere by having an array of animals in the basement, which Frank Buck will be nominally in charge of. Also, there will be a Ripley exhibit of oddities. Both these will be side-show, although not certain whether separate admissions is to be asked.

Idea of a Warner musical version of 'White Horse Tavern,' starring Al Jolson, for the Hipp is now being practically set but rights to the play for the U. S. became highly involved and caused the difficulty. When straightened out, understood Jolson is still interested.

## HOUSEMAN-ZATKIN'S TRAGEDY IN VERSE

'Panic,' a tragedy in verse, is being prepared for presentation on Broadway by the Phoenix Theatre group for two performances. Only Drama was written by Archibald McLellan, last year's Pulitzer prize winning poet. 'Panic' is a non-commercial project, to be offered to the intelligentsia.

Nathan Zatklin and Jack Houseman head the group. Former appeared before Equity's Council last week and, although the association was concerned with 'ventures of the kind,' it was ruled that 'Panic' must not be played on Sunday as originally planned. Players must be paid not less than one week's minimum salary—\$25 for juniors and \$40 for others, because it was ruled that the show could have three weeks in which to rehearse. Principals will rehearse three or four hours daily, because of a Greek dancing chorus background.

Zatklin and Houseman was the stager of 'Four Saints in Three Acts,' presented originally in Hartford for a local society called 'Friends and Enemies of Modern Music.' It was later presented commercially by Harry Moses, with Zatklin as press agent. Should 'Panic' appeal to some commercial manager after it opens it is okay with Zatklin and Houseman, although it is not their intention to so present the tragedy.

## BEST PORTLAND CRITIC

Fred White Wins Trophy, 1st Since 1931

Portland, Ore., Feb. 19. The Gull States' trophy for the Portland dramatic reviewer maintaining the best column on the spoken drama will be awarded this year to Fred White, of the Oregonian staff, on the basis of his work during the past year. Selection was made by a committee of the Portland Press Club, custodian of the trophy.

Award of the trophy will be the first since 1931. Presentation was interrupted when it was felt that Portland had suffered a dearth of stage presentations. Visits of road companies in 1934, headed by Walter Hampden, Katharine Cornell and Eva Le Gallienne, were occasions for renewing it.

## R.E. Jones Turning Scribbler for Next Central City Show

Denver, Feb. 19.

Robert Edmond Jones, who will also direct, will write the play to be used at the fourth annual Central City opera house play festival. It will be written around the early history of Central City. Jones has been gathering material from original sources during his three summers here. The case of the missing coin. Title has not been picked. Frank S. Leger, director of the Houston Symphony Orchestra, will direct the orch, and music will be an integral part of the production. Music was used the first two years but dispensed with last year.

Reason for the historical angle is laid to several huge conventions scheduled in Denver at the same time. Expected 10,000 teachers attending Nat. Educational meet and 3,000 at American Library association. Play ran one week first year, two the second and third, and may run three weeks this year. Local papers received wires from Hollywood, where Jones is, that Anne Shirley and Junior Durkin had been signed for Central City in 'Growing Pains' as this year's play. News printed the story, page one, with cuts, but the Post did some querying and got the facts.

## ACQUIT AGENCY CLERK ON FORGERY CHARGE

A jury brought in a verdict of not guilty late Monday (18) night on the charge of second degree forgery brought against Jack Fasternack by Sam Beckhardt's ticket agency, New York. Defendant's bail, however, was continued, there being another charge, that of larceny.

Samuel Bloom, secretary of the Beckhardt agency, claimed that the clerk had endorsed checks for \$32 sent by a customer, using the money for his personal use. Fasternack contended that Beckhardt had authorized him to endorse checks received in the morning mail and make bank deposits.

## Macloon 'Powder' Tiff Before Equity Feb. 28

Hollywood, Feb. 19. Equity arbitration of the Ryman Productions-Reginald Barlow tiff has been pencilled in tentatively for Feb. 28. Three judges are Harry Solokoff, attorney for the producer; Robert Emmett O'Conner, selected by Barlow, and Edwin Maxwell, the arbiter.

Case involves squawk of Louis O. Macloon, s. m., the legit producing 'setup,' that Barlow powdered from 'Blood on the Moon' at the Mayan last fall, causing the show to fold. Barlow counters with a claim that Macloon told him to scram pronto.

## WEE-LEVENTHAL GET 'SAILOR' ROAD RIGHTS

Plans for road-showing 'Sailor Beware' have virtually been completed. Wee and Leventhal getting the rights. Bookings for 12 weeks have been outlined, with a chance the job comedy will return to Broadway late in spring.

Most of the original cast is expected to tour in 'Sailor.' Most of the players were on salaries not much over the code minimum for the latter half of the Broadway run and that is about in line with the W.A.L. policy.

Deal for the road rights was made by the firm with the authors, to whom the rights reverted, it is understood, because the royalties for the final three weeks at the Lyceum, N. Y., were not paid by Courtney Burr, the presenter.



# RAIN

Set is virtually a duplicate of the original, with the incessant rain season beating a realistic staccato background to the surcharge melodramatic action. Play should get a limited class draw. *Abel*

## NOAH

Long speeches are by Fresnoy with his curious make-up and beauried, gray wig. Program credits state that Cleon Throckmorton directed the settings, with the animal costumes by Remo Buffano, but all under the supervision of Ludwig Bemelmans. Music by Louis Horst and dances staged by him and Anna

As with "Too True to Be Good" the author spots his play in the

Nazimova and Romney Brent to the cast and are featured, with McKay Morris also important. Shaw's writing brilliance shines through now and then, but not enough to amuse the average playgoer. *Ibsen*.

This company was playing alo peacefully in Prague, Czechoslovakia, when Hurok heard of it a decided that what America needed was Russian art. Just to make sound a bit better he dug up Chehov somewhere else (he wasn't with the company a few months ago). Then the campaign. And here they're in New York. When the Moscow Art players come over, next year, they'll be just a little later, they'll be a second company. Hurok wanted them to come this year a

nde. Moscow. Apt combo. . . . .

Advance reports were reasonably favorable, which may have counted in the disappointment attending the Broadway premiere. Hard to figure

Playing the lead is Lillian Foster. Her Aurelia is a jittery, flustered person. Played differently would probably mean little improvement because the women is entirely neurotic. Nancy, however, is the intelligent, eldest daughter, played well by Nancy Sheridan.

Somehow, the story is reminiscent of the Snyder-Gray murder *minus* the electrocution ending. It has an atmosphere of trouble but is not dramatic enough for the stage playgoer.

**'BISHOP' \$7,500**  
Walter Connolly's Film Rep Hel  
Play in Pitts.

Bright outlook for tag end of the Nixon season is no more, and looking like town's only legit site will likely badly down the homestretch. Two shows, 'L.A. In' and 'Merrill's Roll Along,' booked for weeks March 4 and 11, have been cancelled due to poor business on the road and there's nothing at all sight to substitute.

Nixon is dark this week, but brightly next Monday (25), with the highly Carto Opera company, Mr. order sale, for Savoyards is transacted, indicating one of biggest seasons of the season.

# Loop Shows Hold Over as Biz Zooms; 'Roberta' Ups to 23G; 'L'Aiglon' \$13,000

Chicago, Feb. 19. Nothing wrong with legit business here these days; about the only complaint being heard is that there aren't enough shows to supply the demand for tickets. There were only three plays going last week and all practically capacity.

Business so good for the Abbey Theatre Irish Players that they are holding over an additional season and look for another sparkling season. Laid off last night (Monday) and will replace with a matinee on Friday (Washington's Birthday). Show list rises to five currently with the opening of the local production of "Sixteen" on Sunday night by Charles K. Freeman and last night of the Cornelia Otis Skinner repertoire. Freeman house has local celebrity support for a week with a guarantee sufficient to get the show going to a flying start. "L'Aiglon" blew out of town after two excellent weeks at the Grand and was replaced last night by Ina Claire in "Ode to Liberty".

Also in the office is the third date in Chicago for the Monte Carlo Ballet Russe at the Grand, coming in for three days March 8-10.

**Estimates for Last Week**  
Abbey Theatre Irish Players, Harris (1,000; \$2.20) (34 week). Will call it a stay on Saturday (28), after a highly profitable gallop. Last week fine \$12,000. Holdover of the group forced Cornelia Otis Skinner to move to the Shubert.  
"L'Aiglon," Grand (1,200; \$2.20). Eva La Gallienne play remained for its scheduled two weeks and was replaced on Saturday (17) after an excellent fortnight. Final session practically a jam-out on \$13,000.  
"Ode to Liberty," Grand (1,200; \$2.20) (1st week). Ina Claire show opened last night (Monday) with fine advance for its two-week booking.

"Roberta," Briarley (1,200; \$3.20) (7th week). Fine advance for its two weeks to \$23,000, powerful. Only musical in town. Will stick to March 4.  
"Sixteen," Blackstone (1,000; \$2.50) (1st week). Opening Sunday. Under auspices for initial session. Shaindel Kallish, who clicked last season here in "Maedchen in Uniform," starred.

Cornelia Otis Skinner, Selwyn (1,000; \$2.20) (1st week). Opened last night (Monday) with a new play, "Mansion on the Hudson," added to Miss Skinner's regular repertory. Charles K. Freeman and "Empress Eugenie".

**Other Attractions**  
Showboat "Dixiana," New show, "Jangle Boys in Miami," going down comfortably. Showboat waiting out the winter and expects to expand into big business again with the spring dancing with balmy weather.

## FOLLIES' SNARES 48G ON INTERSTATE TIME

San Antonio, Feb. 19. "Ziegfeld Follies" had a nice ten-day party in Texas, leaving the State Saturday (17). The act approximately \$48,000 from four stops.

Show played El Paso, San Antonio, Houston and Fort Worth, doing 12 night shows and three matinees, all in Interstate houses. The act took out films when the show was alone.

Show plays in Oklahoma, Arkansas, Tennessee and Kentucky this week.

## D'Oyly Carte Gets \$24,000 Out of New Haven Week

New Haven, Feb. 19. D'Oyly Carte Co. closed one of the most successful legit stands this season known to date in New Haven to the Shubert for one week, largely through the drag of Prof. Wm. Lyon. It was a case of try and get a seat for any of the electric pianos. Draw included patrons from cities throughout the state, and a box office check-off of approximately \$24,000 for the week, big money here at \$2.75 top. Troupe really has staying power, and has made legit history. Engagement comment.

Present route of attraction is Washington, Pittsburgh, Chicago, Detroit, Toronto, and back to England, due to sail May 2.

## TWO QUIT FRISCO Whiteside, \$5,800 and 'Merrily' \$9,000 Both Week

San Francisco, Feb. 19. Two shows folded out Saturday in Frisco, "Merrily We Roll Along" at the Grand and "Whiteside" at the Columbia, leaving stock at Alcazar in full possession of the leg field. Nothing in sight at the other houses until the Abbey Irish Players reach there on March 18.

Walker Whiteside, generally a favorite here, did less than average business, and "Merrily" with a big nut, was lots of disappointment at the boxoffice, too.

**Estimates for Last Week**  
Alcazar (Carter and Binsdon)—Behrman's "The Green Room," permanent stock company doing fair business at dollar top, with policy of changing shows every two weeks. Last week take around \$4,000.

Columbia (Erlanger)—"Master of Ballantree" disappointing at \$5,800. "Merrily We Roll Along" lucky to hit nut in third and closing week with \$9,000.

## 'Miracle's' \$5,000 In H'wood Weak; 'Pop' Out, Trio In

Hollywood, Feb. 19. "Small Miracle" is doing just so at the El Capitan, despite a pretentious production given it by Henry Duff. Second week of the local Kravitz play, with Joseph Spurn-Cullies and two others of the New York company in the cast, garnered around \$5,000.

Only other legit in town functioning last week was "Pop Goes the Wessel" at the Mayan, where, with the aid of "The D'Oyly Carte," it managed to glean around \$1,800, to exit.

Three legit got into action here last night. "Merrily We Roll Along," produced for the Coast by Homer Croun, debuted at the Belasco Theatre, Balto. at \$1,500.

Scottish Players started a week's run at the Philharmonic Auditorium. "L'Aiglon," Grand (1,200; \$2.20). Eva La Gallienne play remained for its scheduled two weeks and was replaced on Saturday (17) after an excellent fortnight. Final session practically a jam-out on \$13,000.

**Other Attractions**  
Showboat "Dixiana," New show, "Jangle Boys in Miami," going down comfortably. Showboat waiting out the winter and expects to expand into big business again with the spring dancing with balmy weather.

## NO SHOWS LAST WEEK, BUT BALTO HAS 3 NOW

Baltimore, Feb. 19. No legit last week. The Indie Maryland had the N.Y. Civic Opera Company for a session at \$1,500 and came out plenty happy at just under \$5,000. Crit tried the group for the best opening aggression on Balto boards, aside from the Met, in years. Notices largely helped to nudge up the grosses.

Currently the most active week of the season here. Ford's has "Hollywood Holiday," which opened last night (Monday) at the Maryland. The act, at \$2.75, is holding forth with "Green Pastures" in for last night of the season. "The D'Oyly Carte" is complete sell-out for all three showings. Up at Lehman's Hall, a quasi-amateur stock troupe is debuting "Hailor Beware" at \$1,500.

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## 'WILDERNESS' \$9,800 Shows in Cincy Okay; Legit Map Changes

Cincinnati, Feb. 19. "Ah, Wilderness" crossed approximately \$9,800 on four performances at the Shubert last half of last week. Top was \$2.50. Upstairs jammed every show.

Theatre does its season's swan song with last night. It is last week, presenting "L'Aiglon" at \$2.20 top. RKO leased the house for pop stage and screen comic stars March 1-10. Future date of the show will go to the Cox and musicals to the Taft auditorium in the Masonic temple. Cox drew the curtains. For a year, had several unsuccessful tries with stock companies since 1925.

## Boston Legit Busy; 'Dodsworth' \$15,000; 'Distaff Side' \$9,000

Boston, Feb. 19. Walter Huston in "Dodsworth" distinguished himself in opening stanzas as the town's best b. show last week. Close to \$15,000. Rortons to London again with "Distaff Side." "Merrily We Roll Along" proved a bit tame for Boston legitters and second week gathered about the same as opener, \$9,000.

"First Legion" is here to stay for while—transferring Monday (18) to Shubert Boston. Opening prices. Fourth week at Plymouth at \$2.50 top pocketed a nice \$11,000. "Dennis King" opened in "Potlatch" at the Plymouth Monday (18) and will do matinees on Friday and Saturday this week. Same matinee schedule for "Dennis" a new play, opening at the Shubert tonight (19). Cast includes Violet Heming, Melvyn Douglas, Andrew B. Haines, King, Cora Witherspoon, and Elsa Maxwell, latter in her stage debut.

March 4 brings Bebe Daniels, Ben Lyon, and "The D'Oyly Carte" to the Shubert in "Hollywood Party," and Ina Claire opens at the Plymouth in "Ode to Liberty" on March 10.

**Estimates for Last Week**  
"Dodsworth" (Colonial, 1st week). Huston clicking in this episode place and appeals to Hub players. Heavy publicity. Just what holiday angle associated with Huston and Ann Sunderland in cast. Close to \$15,000.

"First Legion" (Plymouth, 4th week). Bert Lytell and company take the Result play to the Opera house at 1st top this week. Closing week at the downtown house a healthy \$11,000.

"The Damsel" (Shubert, 2d week). "Merrily We Roll Along" brought tremendous off-stage as a salon and lecture platform attraction. Last night, drew in the respectable \$9,000 in the second and closing week of "Distaff" here. Well-acted, but lacked "what it takes."

## Philly Gives 'Mary' Fine \$20,000; \$13,000 for 'Merrily' Not Enough

Philadelphia, Feb. 19. Philly, after treating its legit bookings usually well for some time, fell from grace last week. "Merrily We Roll Along" was the chief victim and folded its tour Saturday night, cancelling its second week at the Commodore. "L'Aiglon" at that business was not so bad, with between \$12,000 and \$13,000 reported. But that wasn't enough for the show. Production Critics were nearly all highly laudatory, but several expressed surprise that the show had ever thought of touring this strictly Broadway type of show. Audiences, however, were not so kind. The show was mechanically ready for New York.

"Cross Ruff," comedy try-out at the Walnut, got mixed notices, none to them very bad. The show grossed on week was around \$1,000 and nobody wondered when Producer Dejos Chappell decided to cancel his tour. "Moonlight" did relatively the best of the three newcomers, although, because of scale and 40% paytax system, gross was not nearly as high as "Merrily's."

"Mary," "Moonlight" did relatively the best of the three newcomers, although, because of scale and 40% paytax system, gross was not nearly as high as "Merrily's."

"Mary of Scotland" still got the biz of the town. In its second week at the Forrest, it had sold out for over \$20,000, although Forrest's occupancy of house two nights was close to capacity. One more week.

"Mrs. Moonlight" (Broad, 1st week). "Merrily We Roll Along" (Chester-nut), Engagement scheduled for two weeks out in half when show folded tour. Under \$13,000—good money ordinarily but spelling red for this one. "Distaff Side" still Monday.

"Mrs. Moonlight" (Broad, 1st week). "Merrily We Roll Along" (Chester-nut), Engagement scheduled for two weeks out in half when show folded tour. Under \$13,000—good money ordinarily but spelling red for this one. "Distaff Side" still Monday.

# 2 Revivals Drawing B'way's Attention; Holiday Aids Biz; 'Horse' Hits \$15,500

Although current week has new show possibilities, Broadway appears more interested in next week's revival of "The Barretts of Wimpole Street" and the return of "The Green Pastures," marking its fifth year, than in the new entrants.

Last week's arrivals had a slight edge over the previous week's premieres (all four of which flopped), but the means little. Rain was rather disappointing, and business just fair, revival getting around \$7,500 the first seven times. "Fitter Oleander" was panned, drawing less than \$5,000 at the Lyceum; "The Eldest," "Ritz" and "Nash," Longacre, are also doubtful, despite some high praise accorded the acting in the latter play.

Season reaches a climax this week with Washington's Birthday (22). Last week, too, saw a rise in the business of the leaders, helped by Lincoln's Birthday. "Petted Forest" got \$24,000 with an added matinee; "Three Men on a Horse" topped around the leaders with \$15,500, all in two performances, and an extra show sent "Personal Appearance" to \$16,500. "Escape Me Never" held over the \$20,000 mark without an added afternoon, but "Point Valaine" dropped to \$14,000.

"The Great Wallop" had its best performance last week, with gross of \$38,000; "Anything Goes," the real musical leader, topped \$34,000; "Thumbs Up" was up with \$27,000, while "Life Begins at 44" was comparatively moderate with \$20,000.

"Juliet" (Katherine Corneli) is ending up to capacity this week. It also being the final for "Within the Gates," "Ode to Liberty," "Little Field of Ermine," "Mansfield," and "It's You I Want," Cort, were with during Saturday (16).

In addition to "Barretts" at the Mark, "The Barretts of Wimpole Street," next week will also get "Times Have Changed," touted favorably by the press.

**Estimates for Last Week**  
"Accent on Youth," Plymouth (9th week) (C-1,036-\$3.50). At \$12,500 best gross to date registered last week. In these (Lincoln's Birthday) helped.  
"Anything Goes," Alvin (14th week) (M-1,325-\$4.40). Although no extra performance, the holiday holiday matinee with raised scale sent gross over \$24,000.

"Awake and Sing," Belasco (1st week) (D-1,000-\$2.75). Presented by the Group Theatre; written by Clifford Odets; opened Tuesday (19). "Mary in Philadelphia" (Loyce, 3d week) (D-957-\$3.30). Adverse press, but business picked up at weekend; gross slightly under \$5,000.

"The Damsel" (Shubert, 2d week) (C-922-\$4.40). Unusual drama commanding excellent attendance; last night, drew in the respectable \$13,000.

"Cross Ruff," Masque (1st week) (C-719-\$3.30). Presented by Theor

Chappell; written by Noel Taylor; opened Tuesday.

"Distant Shore," Moroso (1st week) (D-861-\$3.30). Presented by Dwight Brown; written by Donald Blackwell and Theodore St. John; opens Thursday (21).

"Escape Me Never," Shubert (5th week) (D-1,387-\$4.40). Holds around \$20,000 mark weekly; slated for 12 weeks and should easily fill that date.

"Field of Ermine," Mansfield. Withdrawn Saturday (16); played one week and two nights.

"Fly Away Home," 48th St. (6th week) (C-969-\$3.30). May stay for while to modest grosses; around \$5,000 a little to opera.

"It's You I Want," Cort. Taken off Saturday after playing two weeks. "Merrily We Roll Along" (Chester-nut) (C-708-\$3.30). Flueging has not improved gross enough. English comedy around \$6,000 last week.

"Life Begins at 44," Winter Garden (28th week) (R-1,439-\$4.40). Business still shows a detour and whether ravine will stick much longer; around \$20,000, but not there. Well out of red on run, however.

"Old Maid," Empire (7th week) (C-1,036-\$3.30). Flueging to last through balance of season. Matinee gross went to \$13,000 mark.

"Nash," Longacre (2d week) (D-1,019-\$3.30). Drew rather good press, with some exceptions but \$5,000 chances doubtful; opened mid-week.

"Personal Appearance," Miller (19th week) (C-944-\$3.30). Holds to virtual capacity. Last week, gross comedy leader over \$15,500 mark.

"Point Valaine," Barrymore (6th week) (D-1,019-\$3.30). Held over from early pace, just managed to approximate \$14,000 in nine performances.

"Post Road," Ambassador (11th week) (C-1,156-\$3.30). Moved here from Masque; around \$5,000, with \$1,000 in extra matinee on Friday matinee (Washington's Birthday) added.

"The Barretts of Wimpole Street," Golden (9th week) (C-950-\$3.30). Moderate coin comes; paced around \$10,000; going to stick through spring.

"Reverie," Winter Garden (11th week) (D-1,171-\$3.30). Around \$16,000 last week, improved in midweek matinee eve; okay for hard luck musical.

"Simpleton of Unexpectable Ideas," Grand (1st week) (C-1,000-\$2.75). Presented by Theatre Guild; written by George Bernard Shaw; opened Monday.

"The Bishop Misbehaves," Cort (1st week) (C-1,054-\$2.75). Presented by John Golden; written by Frederick Lonsdale; opened Monday.

"The Eldest," Ritz (2nd week) (D-918-\$3.30). Drew unfavorable comment; stringing along; first week light; estimated under \$4,000.

"The Great Wallop," Cort (22nd week) (C-1,439-\$3.30). Picked up smartly after a week off; holiday eve credited; around \$36,000.

"The Petrified Forest," Broadhurst (7th week) (D-1,019-\$3.30). Although agencies reported ticket demand off, dramatic theme was close to \$15,500 last week; all performances except midweek matinee virtual capacity.

"Thumbs Up," St. James (9th week) (C-1,325-\$4.40). Strong ticket call for latter part of week; around \$27,000 quoted; about best figure since opening.

"Tobacco Road," Forrest (63rd week) (C-1,107-\$3.30). Still indefinite; hooked to operate probably at gross of \$4,000-\$5,000.

"Within the Gates," National (re-opening) (20th week) (D-1,156-\$3.30). Final week of return engagement; around \$7,000 with cut rates; will close.

**Other Attractions**  
"Rain," Music Box; drew mixed reviews; week-end, around \$7,500.

Katherine Corneli's "Juliet," Martin Beck; final week; "The Barretts of Wimpole Street," revived next week.

"Sailors of Cattaraugus," Civic Rep theatre; week-end, around \$7,500.

"Joe Kovarsky," first called "The Pit."

"No More Ladies," Park (Cosmo-politan); revival policy at Columbia. Circle house starts Thursday (21).

"Moscow Art Players," Majestic; opened Saturday.

Cohan, \$4,000, Ind polis

Indianapolis, Feb. 19. George M. Cohan, who cut an original three day booking at the English theatre down to two performances (12), played to packed houses in "Ah, Wilderness." Left town with an approximate \$4,000 gross, near house record.









New European Coverage  
Tom Wilhelm, I.N.S. reporter in Berlin, recently dropped a general Hearst European shakedown, has started Central European Features, a syndicate of his own over there. Couple of other American reporters joined in with him on the project.

Idea is to sell a strictly mail service to American papers which want own correspondents in Berlin, but can't afford a full-time service. C.E.F. will supply papers with about six columns of news weekly on a \$25 to \$75 monthly proposition and will undertake department assignments on the side for anybody.

A.P. and I.N.S. both recently did considerable firing of help throughout Europe because of a cock-up in a so much foreign news over there in the past year or so, especially in Central Europe, that the lads went berserk on wire and other expenses. Papers here gobbled it up, but that, during the past few months became conscious of the expense involved and, with things easing off somewhat, chopped down all around to save the auditing department some headaches.

Honoring Seven Newspapersmen  
Seven newspapersmen will be made recipients of honorary degrees at the 22nd ceremony which will feature this year's convocation of the George Washington University. Affairs will be held at Constitution Hall, Washington, on Feb. 22.

Editor Lawrence's Next  
Warden Lawes of Sing Sing may turn mag editor if negotiations now way and woe, which are included. Theodore Epstein, who gets out a varied group of publications, has an idea for a monthly to be called "Prison Stories" and wants Lawes' name on it as editor. Epstein has gone so far as to make up a dummy number of the proposed mag to give the penologist an idea how the thing will look. Lawes' reputation as "Prison Stories" and likely to okay the project. Prison Stories will carry both fiction and so-called true stories of prison life.

Warden Lawes not only one of the foremost penologists in the country but also one of the most prolific scribblers on the subject. If Prison Stories materializes Lawes will write for as well as edit the mag.

Albany Shakeup  
Departure of Arthur J. Littlejohn as managing editor of the Albany Knickerbocker has caused a big upset among the staffs of the Press and its afternoon twin, the News.

John Bowen, news editor of the News, becomes managing editor of the Press. Austin Scagell, news city editor, is named as its news editor. Henry B. (Barney) Kraft, Press slot man for eight years, switches to the News in the same capacity. Robert A. Reeves was appointed photo ed. of the News.

G-B-G Magazine  
Albert G. Bassett, who has been doing very well with those paper-bound pocket-size Gilbert and Sullivan librettos which he gets out under the imprint of Bass Publishers, with additional issues now called the Gilbert and Sullivan Quarterly.

Publication will be devoted to activities of both amateur and professional Broadway throughout the country and in Canada. Bassett has a tie-up, with the Gilbert and Sullivan Association on the publication of the mag.

Zoty's 1st Ready  
Ed Zoty, former Macfadden exec, who recently organized the Zoty Publishing Corporation to sponsor a group of new mags, has his first publication set. Will be a mag for femmes to be called The Woman Today, with publication monthly.

Initial number in preparation, to appear early in April. Julia Shawell editing.

No A. P. Letouts

Report in New York newspaper circles Monday (18) was that the Associated Press had over the weekend swung the axe among the staff as a result of the fluke verdict on the Bruno Hauptmann case which came out of Flemington. Office of Kent Cooper, A.P. head, denied there had been any letouts over the incident.

N. Y. News' Exclusive

Although 51 newspapers in the United States use the New York News' exclusive on this coverage in N. Y. and the tab is taking advantage of it by crediting the wirephotos, as being exclusive. Manner in which the News got complete coverage on the Macon crack-up on the Coast is latest point in question. Nearly every phase of the accident was handled photographically by the News in its earliest editions on the stands Wednesday evening. The Mirror, which is not an A.P. member, had to depend on wire-photo photos to cover the situation.

The Times and Herald Tribune employed wire-photos, but not received from the A.P.'s service. Former depended on Wide World and Trib on Acme, latter coming over the A. T. & T. wires.

Three Chicago papers, the Chicago Tribune, Daily Illustrated and News Daily, receive this new A. P. service. Dallas, Texas has two dailies, the News and Times-Herald, getting the A.P. wire photo stuff.

Most of the service is said to be main reason for many New York papers holding off. With the Daily News in N. Y., the attitude is that the expense is repaid by the exclusive credit line and wide coverage possible on big events.

Stage Buildup

The Stage, which started as a house organ for the Theatre Guild as the Theatre Guild Magazine, is due to get a further build-up. Raoul H. Fleischmann, publisher of The New Yorker, has bought in on it and will spend some coin. Herbert J. Phil Stong as vice-president of the Stage Publishing Co., as Fleischmann's representative.

Aim will be to build up The Stage to the position formerly occupied by the now defunct Theatre Magazine.

Prez Stong

Phil Stong has been elected president of the Authors' Club, succeeding to the position formerly held by Stong is as follows: A. J. Barnouw, vice-president; Daniel Henderson, secretary; and Norbert L. Lederer, treasurer.

Scully Now Playwright

Deal has been closed between Joseph Pollack, N. Y. producer, and Frank Scully, author of "Fun in Bed" and "Arthur Ripley." Radio studio scrib, to write a play around the tentative title, "Lola." Contract calls for delivery of script in time for fall production on Broadway.

Cuddihy, Jr., on Coast

H. Lester Cuddihy, son of Literary Digest publisher, arrived on the Coast, concluding a two-week and trip across the continent. He is sponsor of the Digests' "Spice of Life" series being produced by Mentone, and distributed by Columbia.

Troy Dailies Merge

The 34-year-old Troy, (N. Y.) Times, afternoon daily, suspended publication Friday (15) to be merged with the Record, which publishes morning and evening editions.

William H. Anderson, publisher of the Times, retiring from the publishing field.

Roche, Clark Dead

Arthur Somers Roche, 51, who wrote 23 novels, died in Palm Beach on Feb. 17, of an ailment complicated by pneumonia.

Kate Upton Clark died Feb. 17, in her Brooklyn home. Friday (22) would have been her birthday.

Holly'd Tome

New book to be published on Hollywood by Max Knefer carries the title of "Sodom and Gomorrah." Author is one of the workers for the Epic campaign in the recent California state election. Upton Sinclair, the defeated Epic candidate, will grace the fly-leaf with an introduction.

Pass Up Hollywood

Latest turn in coast literary affairs is that Hollywood writers are turning elsewhere for locale. Of five novels written by picture people, only one deals with the home ground.

First off the press is Tay Garnett's "Man Laughs Back," treating with the adventures of 23 college boys and a lone femme in the jungle fastness of South America. Lone candidate for Hollywood scene is "I Want's Born Yesterday," co-authored by Allan Rabin and Leonard Spiegelglas. Other volumes ready to hit the book stalls are Eric von Stroheim's "Paprika," a spy yarn laid in Hungary; "A Lover Would Be Nice" by Hugh Herbert, and Charles Grayson's adventure tale of Old Mexico, "Flight South."

Chatter

Hilatre Belloc here. The New Yorker is ten years old. Third edition for "South of the Coast."

Anthony Thorns going to the coast. "Grass Green Green" postponed to the April 2.

John Macrae, Dutton head, back from abroad. Richard Aldington carrying a knee in splints.

Major F. W. West off on a trip to Syria and Palestine.

Second printing for Norman Klein's "Terror by Night."

Offices of the Magazine Service Co., author's agents, moved.

Major F. W. West off on a trip to Syria and Palestine.

Frazier Hunt latest of the literati to hear the call of Mexico.

Felix Riesenbach has gone to the West Indies to do his autobiography.

Charles Ballew, author of "Texas Spurs," is really Charles Horace Spurr.

W. Somerset Maugham is 60, and made an officer of the Legion of Honor.

Harold Nicholson in from England to complete his biog of Dwight Morrow.

T. Werner Laurie has British rights to Carman Barnes' "Young Man's War."

Zoty Publishing Co., to issue a new mag, "The Woman Today," on March 29.

Maxwell Almy going to England to pick up some new scripts for Longmans, Green.

Gertrude Stein has made a number of photograph record readings from her works.

Babette Deutsch doing a lecture course on poetry at the New School for Social Research.

Mary Ellen Chase will go to Spain to gather data for a novel before coming home.

Arthur Koestler, wood expert who testified in the Lindbergh trial, has a book on the Whiteley list.

John V. A. Weaver's piece in the current issue, "Leaving down Kathleen Cornell," is getting a lot of chatter.

J. Middleton Murray here for a lecture tour. "Will talk about the work of his late wife, Katherine Mansfield."

Percy Waxman has given up the idea of publishing on his own and has joined Cosmopolitan in an editorial capacity.

William Soskin, book reviewer on the New York American, now also holding down the same spot on Town & Country.

Marjorie Barlow, Greenlee, author of "Arts of Lelure," due in March, is the wife of Sidney Greenlee, editor of Lelure, mag.

Ralph Connor going to Australia, and feted by the Canadian Authors' Association, of which he is the prexy, before leaving.

Curtis J. Harrison appointed eastern advertising manager of "The Nation" magazine, succeeding Herbert J. Donohue, resigned.

The Van Loons, father and son, recuperating. Son has his arm in a sling, while the elder Van Loon is suffering from a stomach ailment.

Meyercon Press will publish

Best Sellers

Best Sellers for the week ending Feb. 16, as reported by the American News Co., Inc.

Fiction	
'Heaven's My Destination' (\$2.50).....	By Thornton Wilder
'A House Divided' (\$2.50).....	By Pearl S. Buck
'Forty Days of Musa Dagh' (\$3.00).....	By Franz Werfel
'Vila Mala' (\$2.50).....	By John Kirtell
'Heaven High Hell Deep' (\$2.50).....	By Norman Archbold
'Goodbye Mr. Chips' (\$1.25).....	By James Hilton
Non-Fiction	
'Why Not Try God' (\$1.00).....	By Mary Pickford
'While Rome Burns' (\$2.75).....	By Alexander Woolcott
'American Diplomatic Game' (\$2.00).....	By Drew Pearson and Constantine Brown
'Skin Deep' (\$2.00).....	By M. C. Phillips
'100,000,000 Guinea Pigs' (\$2.00).....	By Arthur Kallet and F. Schiller
'Personal History' (\$3.00).....	Vincent Sheean

Book Reviews

A Lighter Brown

Readers who buy Beth Brown's 'Lady Hobo' (Coward-McCann, \$2), in expectation of another 'For Men Only,' may be disappointed at the absence of steamy passages, but the new yarn concerns a trained nurse whose physician-husband is a fine surgeon but a careless one. He's a perfect die though slow to perform a difficult operation, and when, on top of this she finds he has been two-timing ever since their marriage—there comes a parting of the ways. Plenty of color and exciting adventure. Book is tinged with spiritualism, but not to the detriment of the action. Technically it is as much ahead of 'Man and Wife' as the latter is above 'Men Only.'

On Eliza Jemel

William Cary Duncan was once quite a popular writer of musical comedy librettos. Having written quite a number of shows, some with George M. Cohan. Now he lives in Massachusetts, raises dogs, and takes things easy, and in between he has managed to write a biog. of Eliza Jemel, whom he considers not to have had a break in literature previously.

The book is entitled, 'The Amazing Madame Jemel' (Stokes, \$2), and is not a good biography as it might be, although automatically highly interesting because of its subject matter. Eliza Jemel was an American lady who lived about the same time as did Peggy O'Neal, and, led in some respects, a similarly hectic life. With little regard for morals, she managed to maneuver her way up to one of the highest spots in society and was towards the end of her life, the wife of Aaron Burr. Her career was hectic and colorful, but Duncan was just a bit too nice to and too woot about her to lift the book very high.

Odd Technique

While Norman Collins has written a drab and sordid affair in 'Penance Appointment' (Doubleday, Doran, \$2); he offers an interesting study in that he succeeds in maintaining interest and suspense in a novel with comparatively little plot action and told mostly in conversations. All of the events happen on a second class liner between London and Penang.

The three leading figures are a down and out Englishman, who has gone soft in the tropics, his daughter, just out of an English convent, and a cadish fellow who falls in love with the girl's pal, and then the father to London so that he can take her back to Penang and marry her.

Told in narrative style, story slips at the end with an unsatisfactory solution, but it holds the interest.

Laird Doyle's script on 'Oil for the Lamps of China,' which is being filmed at Warners studio on Coast. Contents of Ruth Bryan Owen's diary, covering her trip to Groenland while U. S. Minister to Denmark, will be published in the March Cosmopolitan.

E. W. Bullitt now assistant publicity head of General Electric, with offices in Schenectady. He also becomes assistant manager of broadcast casting for the company.

Another one of those mags, to be known as the Gentleman, which will make its appearance soon. Sponsor is one, Ernest F. Elmhurst. Reputedly will serve as the organ for a propaganda organization.

Plays in Reverse

There are those people who think the test of a good play is in the reading. If so, 'The Petrified Forest,' by Robert Sherwood (Scribners, \$2), passes all tests. It's just an average book and reason clear. Play-drama as it is back of the footlights, even though Leslie Howard isn't there to help out.

Same thing, in reverse, is true of 'The Jayhawkers,' by Lloyd Lewis and Sinclair Lewis (Doubleday, Doran, \$2). It didn't get very far on Broadway in spite of the authors' names and in spite of a strong cast headed by Fred Stone. Reading the book makes the reason clear. Play is not finished. It's a splendid idea that just doesn't come through. A right-off-your-chest preface by Sinclair Lewis doesn't help. It gives the feeling he doesn't think much of the play himself.

This Feels You

Consciously or otherwise, Dale Bunson lays a neat trap for the reader in 'Homestead' (Farrar & Rinehart, \$2.50). It's a story of homesteading in the west, as the title suggests, and he lays the perfect groundwork for the usual thing—the fight against the nester, by the cattle king, whose lands he has invaded.

In this instance Bruce Rollins promotes the homesteading with a promise to buy the claim after it is proved up; thus getting fee to the basin in which he has set his ranch. John Thurman, after seeing the land, decides he's stuck, and the stage is all set. There are a few minor clashes, then Rollins is shot, then Thurman's mother-in-law moves into the menace job.

It's a worthwhile story of the dry-farming section, and related with power and imagination.

New Jekyll-Hyde

Alternating personalities have been a favored theme with English writers since Anstey's 'Vice Versa.' The newest is 'John Lillibud' (Knickerbocker, \$2), in which F. G. Hurrell invents a new sort of plastic surgery.

Lillibud makes an unexpected fortune from an invention, goes into the navy, makes money and buys from an old inventor a composition which simulates flesh. With his misshapen nose built into an imposing beak, he develops a new commanding personality. The result is that the qualities were within the one body. Good reading until near the close, when the author goes over his head in trying to work up a dramatic finish.

Omnibus of Crime

Margaret and G. D. H. Cole can always be depended on to turn out at least two books a year. One will be a good study of some economic problem or trend. Another will be a whodunit. Latest Cole piece is in the latter class and entitled, 'Big Business Murder' (Crime Club, \$2). It's exciting and actionful. Tells of the mysterious doings that surround the phenomenal rise of a stock market manipulator—and his fall. Will keep the readers guessing. Could be filmed.

Leo Grex is supposed to be the pseudonym of a w.k. and popular writer of Genealogy over 'The Man from Manhattan' (Crime Club, \$2) for the first time. It might as well keep on appearing. He knows how to spin these mystery yarns. This fellow Grex. Plenty mystery involved in this riddle, and considerable skill in both the telling and the dialog. Unlikely as film, however.



# VARIETY'S BROADWAY GUIDE

For show people as well as laymen, this Guide to general amusements in New York, first inaugurated here in 1925, is revised and published weekly in response to repeated requests. VARIETY lends the guidance of its judgment in the various entertainments denoted.

No night is intended for those unmentioned as text will be switched weekly. The lists are of VARIETY's compilation only and as a handy reference, it may serve the out-of-towner as a time saver in selection.

## PLAYS ON BROADWAY

Current Broadway legitimate attractions are completely listed and commented upon weekly in the Legitimate Section.

In that department, both in the comment and the amount of the gross receipts of each show will be found the necessary information as to the most successful plays, also the scale of admission charged.

## FILMS ON BROADWAY

Similarly the new pictures in the Broadway first runs and combinations are covered weekly. In the review, the film goes headfirst story and the standing box on Page 6 which indicates the new films for next week and the week after.

## HOTCHA NITIES

Barrel of Fun, Ubang! in Harlem, Nut Club in the Village, and King's Terrace in Times Sq., are sufficiently heated for the hectic nocturnal addicts. Lou Richman's new 1935 version of the famed Dizzy Club is another lively entry.

Less hectic but equally hilarious, Eddie Davis' saucy songs at Leon & Eddie's and the mauve-decade gang-singing at Gay 90's are surefire for lively diversion and diversion. Club Richman, also lively, has a new show, away from the 'nice boys' idea.

Harlem has a number of open-door and hideaway hot spots, but they must be guided by insiders, principally professionals.

Any number of Times Sq. sidewalk dilettantes are also good diversion if yearning for 'different' type of atmosphere. Mim's Faubourg-Mentemerts and the Bal Mueette are in that category; likewise the Cafe International, and any number of Italian eateries. Latter have about killed off Little Italy, since it's easier to get everything in that field right in the Broadway vicinity without taxi-ing. However, authentic Pizomone entertainment like El Chico—in the Village, and Havanaes-like the Cubanman in the Spanish sector of Harlem, are well worth the trips. Boris Thomashefsky's Old Roumanian on the east side is a different type of Ghetto-American nocturnal diversionment.

## CLASS AND POPULAR NITIES

Smarter east side (mostly) spots include the new Versailles, Reno Merry-Go-Round, Colony, El Morocco, House of Lords, Jack and Charlie's, Club New York, the new Stork Club all have oases.

Rainbow House in Rockefeller Center; Johnny Green at the St. Regis Hotel; Leo Reisman's music at the C. P. Casino getting a big play, play; Ethel Merman; the Savoy-Plaza, the Waldorf; Ozzie Nelson at the Hotel New Yorker; Peppy's Chateau Rouge and the Place Piquette are among the smarter supper hooteries.

French Casino's 'Folies Bergeres' revue is still the top cabaret money-getter (over \$50,000 gross weekly) but the new Casino de Paris show is an important money factor of the new starters, Jack Dempsey's new chop house will also wow the boys. Paradise and Hollywood among the outlander mass cabarets.

## RECOMMENDED PHONOGRAPH RECORDS

(Under Disk Reviews will be found the recorded outsiders regularly each week.)

## DEMPSEY'S \$5 OPENING TRAILS CUFFO PREVIEW

To newspapermen and friends who gathered at Jack Dempsey's Corner for a preview Monday eve (11), over the champagne signature was the greeting: 'For my part tonight is the main event.' Formal opening of New York's newest chop house was Sunday (17) to first night at 45 the copy. The preview was on the house.

Dempsey's represents an investment of more than \$175,000. It seats about 450 and is directly across from the 60th street end of Madison Square Garden on 47th avenue. Building occupies most of the site used by the old Morning Telegraph. Exterior and interior is of Colonial design.

Newspaper-night saw about 1,000 in the place. Many were also present. Dempsey, dolled up as a chef, helped serve steak over the counter. Mrs. Dempsey (Hannah Williams) also wore chef's white. A cocktail room with a capacity of 100, and the same for the bar, present total normal capacity approximating 700.

Prior to the completion of the new place Dempsey visited other chop houses and asked proprietors if they thought his cafe would affect their trade. He indicated he didn't want to work out that way. Replies varied. Some said the more the merrier, others frankly declared they didn't know.

As Dempsey is on percentage, against a guarantee, he is bound to be in evidence most of the time. Backing the project is a group headed by Jacob Amron, who is associated with the Moose House in the Hollywood (N. Y.) cabaret.

## Millender Divorced

Pittsburgh, Feb. 19.

It took Mrs. Norma Millender only two days to get a divorce here—last night—Carl Millender. The two of them did a vaude act 10 years after their marriage in 1918.

Suit was not contested.

## U Cagers Go East

Hollywood, Feb. 19.

With the A. C. U. championship for Southern California tucked into its belt, Universal's basketball team leaves today (Tuesday) for five weeks' barnstorming trek as far east as Chicago.

Cagers will finish the swing at Denver on March 23 for the national A. A. U. meet.

In 21 games this season they scored 803 points.

## MARRIAGES

Carmela Rodriguez Jarro, non-pro, to Rene Canizares, VARIETY's Cuba correspondent, in Havana, Jan. 31.

Shirley Burke to Harry Levine, in New York, Feb. 17. Bride is secretary to board of managers of Theatre Guild.

Isabel Leighton, playwright and author, to Frederic Willis, assistant to prexy of Columbia Broadcasting Co. in New York, Conn. Feb. 15.

Bunny Bronson to Charles Sexton in Yuma, Ariz., Feb. 8. Bride is screen player. Groom is head of a Los Angeles radio company.

Helen Mack to James C. Irwin, Feb. 15 in San Francisco. Bride is film actress. Second marriage for groom, N. Y. business man.

Nadie Gordon, daughter of Vera Gordon, to Sidney Steinfeld, Feb. 14 in Greenwich, Conn. Bride with mother in vaudeville. Groom is N. Y. syndicate columnist.

Bea Green to Eddie Lynn, Feb. 8 in Cincinnati. Bridegroom is WLW, Cincinnati, announcer; bride sang on Chicago radio.

Jessie Evans to Eddie Diamond, Feb. 11 in Brooklyn. Bride is dancer. Groom is stage manager for 'Thumbs Up,' current at the St. James, N. Y.

## BIRTHS

Mr. and Mrs. Eddie Foy, Jr., son, Feb. 12 in New York.

Mr. and Mrs. Herman C. Camberger, daughter, Springfield, Mass., Feb. 6. Father is a M. & P. manager.

## Did You Know That—

Horace Braham is deserting the stage for an executive spot in the Mariniello cosmetic company. Frank Warner gave a cocktail party Monday at the Savoy Plaza. She leaves for Hollywood this Friday (22) with Gwen Heller and the Marx Brothers. Regina Crews surprised with an enormous star sapphire from the head of her house. Billy Gaxton, too, went for a gorgeous string of pearls for Madeline. Cammie, Mrs. Pearl Robbins is Coast-bound with lots of new pretty things. Lillian Asher will take a house in Westchester for the summer. That was Laurette Taylor—looking so lovely while shopping the other day. Dorothy Hall leaves today (Wednesday) for the Coast to visit her family, meeting a new wing is being added to her Westchester place. Little Hannah Dempsey was so cunning in that high chef's cap and apron in the opening of Jack's new restaurant.

## QUEER DOUGH FLOODING B'WAY

Despite the alertness of box office people, the amount of queer money being passed has become something to worry about on Broadway. Counterfeit bills of all denominations are being passed to such extent that heads of the intelligence unit of the Treasury Department have been assigned to the metropolitan area.

Federal operatives succeeded in unearthing three plants where money money was manufactured—two in Coney Island and one in Jersey and \$90,000 of the queer was found. Counterfeiters have not stopped at the money money, but even money dimes have turned up with plenty of bad halves and quarters.

Bad coins are comparatively easy to detect, but paper queer is sometimes so expertly printed that often detection is possible only by mechanical means. Broadway ticket agencies are checking up on suspected bills with small counting device invented by a bank clerk.

Device, which costs but a few dollars, is based on the mathematical system used by the mint in numbering bills. Top of the gadget has an arc-like dial easily operated by a pencil point. Repeating the bill numbers on the dial, the check bill will appear in half side the bill will appear in full on the device. If the wrong check mark is tabbed on the machine the money is phoney. Checking up does not require more than 2 seconds.

Each time a box office is insured against the queer has put theatre treasurers on their mettle, especially in light of the fact that bank tellers will not return the phoney until stamping the bills counterfeit. That prevents ticket men from the temptation of re-passing the queer. Last week, in a branch bank in Times Square, bill amounting to \$90 were yanked from deposits. Only one theatre appears to have side-stepped the tide of bad dough. House uses a system of its own and would be pasters have been too busy to copy for questioning. Generally found that such persons obtained the coin innocently.

Understood there is a plan to unite the intelligence unit of the various federal departments in order that all secret operatives would cope with counterfeiting. J. Edgar Hoover, who directed the hunt for other public enemies, mentioned for the combined bureau.

## \$2,800 FOR SCARS

Rochester, Feb. 19.

Lorraine Kirk, 19, dancer, won a \$2,800 verdict in suit for scars on her knees caused by an automobile accident. Defendant was Ralph Sweetland and his sister, Mary, of Batavia, who were driving Miss Kirk's car on the night club engagement, when the car hit a truck.

Dancer claimed her career was ruined by the scars.

## Among the Women

By The Skirt

Best dressed woman of the week  
**LAURA HOPE CREWS**  
(Behold My Wife—Film)

### Roxy's Good Show

Roxy theatre has the best show in weeks. Sakuri Troupe in their native costumes are picturesquely backed by the Gae Foster girls in gold tunics with green and name domed hats. The Japanese girl in the troupe is dressed in a white dress with gold fringe.

Arthur Murray Dancers consists of three couples. One girl is in white satin, one in red and the other in black lace over a nude lining. Foster girls are in groups of eight each. The dresses are in three different colors—black, red and white, having long tails ending hanging from the wrists. The bodies are bare with long sleeved brassieres in flashing sequins.

Jane McKenna is in a double frock of blue and yellow. Louise Beavers, from pictures, does a bit in a black skirt with metallic bodice.

The picture, 'Behold My Wife,' has Sylvia Sydney as a young Indian. The Indian costume is much befringed, with a turban and a heavy chain. One modern evening frock is elaborate with crystal robe trimmed at the neck and hem in sable.

Laura Hope Crews is beautifully gowned in a mother robe. A black lace evening gown has a cape caught at the front with a large diamond ornament. There is a house gown and name domed hats. The black velvet is another evening gown with many diamond ornaments. Charlotte Granville looks nice in a dotted chignon gown. Juliette Compton as a society woman is dressed fittingly. One metallic gown is very full skirted with 'V' front and square back.

### Gleamy, But Well Dressed

A rather gloomy picture is 'The Right to Love' at the Rivoli. It serves nicely, however, for Josephine Hutchinson. The cast should carry it. George Grant, Colin Clive, Henrietta Crossman, Peggy Wood and Aubrey Smith couldn't make an uninteresting picture.

Miss Hutchinson is never changing costumes. At her wedding the address, with no yell is a Dutch lace cap. At the opera she's in a dress of large dots with metallic puffed sleeves. The wrap is ermine. For traveling she wears a belted coat of checks. There is a dinner dress of satin with a chignon overskirt. A comfortable gown is of a dark chiffon with bell collar and cuffs of a white silk. Jacket of a heavy dress material is worn over a white gown. A lace jacket floats in front. A square white mousseline tucked collar and cuffs trim another black frock. There are suits and riding tops. Altogether a nicely made wardrobe.

Miss Crossman is the elderly mother in gowns made for comfort and mostly sequin trimmed. Peggy Wood makes a stunning nurse and is seen in a few shots in simple black frocks with the white collars and cuffs.

### Films' Slight Resemblance

Plenty of good fun in 'Carnival' (Rim) at the Rialto theatre. It's almost like watching the Barnum picture, as many of the same frocks are present and the carnival scenes are not very different. Jimmy Durante is excellent, the same going for Lee Tracy.

Sally Eilers, as Tracy's assistant with a puppet show, is sweetly pretty in several cloth dresses. For the most part they are black with collars and cuffs of either plaid or flowered material. One dress of a plain material has a plaid yoke and sleeves trimmed with buttons. A very small checked dress was frilly trimmed with white pleatings. Florence Rice is in nurse costume and showed one tailored suit of white.

### Palace's Pair Example

An example of the rut that vaudeville has gotten into is at the Palace this week. The bill, consisting of the Robbins Trio, Don Zelaya, Cass Mack, Owen and Topsy, Radio Ramlers, and Col. Fedor Maybaum held few laughs. The girls, Owen and Topsy, do a lot of rough and tumble work in dresses like those seen on school children. One is brown, the other blue with white trimming. Black patent leather pumps with white socks are on the feet. Girl of the Robbins Trio does her skating in white chiffon with Juliette cap of brilliants. A second change is a skirt of orange and pink feathers with pink satin bodice.

Lillian Fields, with the Russian band of Maybaum, does her acrobatic dance in a short blue satin skirt and brassiere. Bandings were of pink. Another miss does taps in ballet slippers and a one layer blue chiffon frock.

### Ted Lewis' Girls

The present show at the State consists entirely of Ted Lewis and his band. With Mr. Lewis are the same girls dressed as they are in flowing chiffon frocks. One girl, for taps, wears a white satin frock with an orange couque feather. Between the gloves are trimmed with these feathers. A young woman playing the harp in the band is in green chiffon with gold trimming. Two girls do a slow rhythm number in full-skirted dresses of the inevitable chiffon, white in color. There was a touch of yellow in the bodice.

A gown of white satin made with the high front and long sleeves was worn by a young lady doing a number with a male dancer. For the finish the girls were in yellow and pink.

## Onceover on Code

(Continued from page 7)

edly and has promised to renew his assault. Senator Borah also has promised to look out for the interests of independent exhibitors.

To make certain that Congress does not overlook the film pack, members and bosses of Allied States Association last week adopted another resolution condemning the code and sought to line up Congressional support for the campaign to reconstitute the code authority. Resolution was put over at annual meeting at which ladies discussed means of pushing their crusade to eliminate bad books and bring the industry under more stringent Federal control.

### Repeat Accusations

Many of the accusations listed in the Nye-McCarran resolution are much the same as charges fired on several occasions by Allied, and are virtual duplicates of accusations made on the Senate floor last year, when Nye took Divisional Administrator Sol W. Fox and the film codists over the coals.

Assurance that the film code will come in for searching examination was given by Senator King on Sat-

urday (16) following preliminary subcommittee meeting to map out plans of procedure. Committee conferred at length with Russell H. Boyd, special assistant to Attorney General Cummings and the former enemy of the film code. Hardy was a star witness last year for the Darrow Review Board and recently managed the anti-trust probe and indictments in the St. Louis proceeding.

Admitting receipt of kicks from exhibitors all over the country against the picture pack, King said he would continue to query Department of Justice officials about complaints submitted to them against the NRA and the film codists, and will seek help of the Trade Commission and the Commerce Department in finding out whether kicks have any substance or justification. Divisional Administrator Rosenblatt probably will be summoned to appear for examination.

Criticism of the film code produced last year by Clarence Darrow and his fellow inquisitors will be used as a basis for the Senate committee inquiry while Darrow and Lowell Mason, Review Board counsel, are likely to be invited to testify or at least consult with and advise the committee.



## East

Beverly Hills, who came from Eau Claire, Wis., about two years ago to go on the stage and became a taxi dancer, killed herself by leaping from the window of her apartment on W. 51st street.

'Big Bill' Dwyer and Lucy Cotton Magraw among the 15 indicted for conducting gambling places in Miami. Lid slams down in Dade county. Will hurt the resort business, which had been thriving for some time to what the sheriff would like.

Federal checkup shows half of the city's drink dispensaries to be violating state of federal laws. To do something about it, though most of the violations are minor ones.

George Abbott will probably start in 'Lone Doe' when he has shaken the Florida sand off his shoes. Formerly 'tabbed' 'Correspondent Unknown.'

Equity in conference with other branches of show business looking to a theatre festival to be held during the summer. Equity will endorse the idea, but will not assume financial responsibility.

Eugene Sullivan, wanted for questioning in the help of a Lewy's, gotational theatre Feb. 2, arrested in Chicago last week while attending the wake of William Brown, who was shot while making his escape.

U. S. Army detail teaching New York cops on the bomb squad to decipher cryptograms.

Unknown. Angel Firpo in trouble in Buenos Aires. Charged with irregularities in a real estate transaction. In a hospital.

Phoenix council passes on the Phoenix theatre plans. Rules that actors may rehearse three weeks.

Hour authority to inaugurate a drive to educate citizens to drink moderately.

Park theatre, formerly the Cosmo-politan, to open Feb. 21 with stock under Chamberlain Brown. 'No More Ladies' first try. In for nine days.

Capacity at four B'way spots Lincoln's birthday mass. Other shows also did well. Brokers were hit, the trade going to the box offices.

May Etherage, London chorus girl, going to land a titled husband, a suicide—Brighton. She married the Duke of Lenister in 1913 and separated two years later.

On resumption of hearing in the Valle case Wednesday (13) on motion of 'Fishes' to dismiss the complaint, holding that the attorneys for Mrs. Valle had not proven their points. Judge specially commended the fact Mrs. Valle did not take the stand.

Metropolitan opera directors again announce there will be no pay for year unless costs can be cut and subscriptions enlarged.

Arnold Schoenberg to teach harmony and composition in the Juilliard school next fall.

Merrill We Roll Along closed in Philadelphia (16) too much to take chances with on the road with its cast of 91.

Reign of Drama gave 'The Royal Family' for two performances last week.

Credit Code Authority decides to wait report of special committee on ticket spots. Dr. Moscovitz went to Washington to discuss freed ticket shows. George H. Brown told members to see 'Post Road' as his guests in order that they might be maintained with the show.

Called into the dispute with picture producers.

'Ab. Wilderness' to play three days in Brooklyn with one mat. Starts March 13.

Enzo Fiermonte told by Italy to stay put. His passport has been taken from him. Mussolini thinks he's not a good sample copy.

Radio Press Bureau shipped on the Hauptmann verdict, first sending out news that jury had recommended clemency. Corrected after 15 mins.

National Root Garden in Houston closed, once a stronghold of Minsky burlesque, given over to be dedicated to Isben and devoted to classic presentations. J. L. Smuckler closing.

Alpine 'shuttle' from Bennett Field to N. Y. will be opened May 1. Start at Wall Street, 20th floor.

Samuel J. Burger, B'way agent, bobbed up in Flemington right after the verdict with contracts for Mrs. Hamman, Yvonne Gray, Mrs. Rosie Phil, Ethel Stockton and Forema Charles Walton, of the Hamman jury, but he got no autographs. Planned to play them with a bunch of Sourland hillbillies. Mrs. Hamman was in the box for 16 weeks. Gray, approves, but wants other bids.

League of N. Y. Theatres appointed a committee to confer with Equity on smaller salaries for summer shows. Also approves the election of the board of directors so conducted as not to hurt the regular theatres.

Equity suggests a series of rotary acts, each covering a tour of three weeks, during which the company would get up in the next

# News From the Dailies

This department contains rewritten theatrical news items as published during the week in the daily papers of New York, Chicago, San Francisco, Hollywood and London. Variety takes no credit for these news items; each has been rewritten from a daily paper.

production. Thinks there's room for about 20 such circuits.

Legislative hearing on the N. Y. state bill to permit Sunday performances. To be heard today (Wednesday).

Third folio edition of Shakespeare, owned the property of George Kackett about two years ago, returned to the police by mail last week and restored to the owner. Too tough to sell without a pedigree.

Phil Strong elected prez of the 'Ames Club.'

Flush, Katharine Cornell's pooch, gets billing on the boards for 'Barrett's Name' in the letters and the star on the lobby signs.

Macy's giving free shows in the store as a plug for its artists but his company.

Henry J. Pain, whose Pain's Fire-works were for many years one of the amusement shows at Coney Island, died Feb. 14 in London.

He was the originator, with his father, of pyrotechnical spectacles.

Ben Bernie sued by his brother-in-law, who got angry over the size of the alienating the affections of his wife, Bernie's sister. Justice Valette denied Mulhauver's application for an injunction to stop the brother-in-law from interfering with the brother's life.

'Peppy' d'Albrow suing Christine Brown, who got angry over the size of the alienating the affections of his wife, Bernie's sister. Justice Valette denied Mulhauver's application for an injunction to stop the brother-in-law from interfering with the brother's life.

Met on stars, facing cuts and the possibility of a new show, see some amelioration in the determination of San Francisco to give opera there for the twitters.

Sherman Billingsley to take over the Palais Royale from Ben Bernie, who will return it around March 1, retaining his Stock Club.

Willy von Norden, Hollywood dog trainer, who was hit by a car, was killed. Tin's dramatic coach, claims he was evicted for the bankroll in Balboa.

Secret marriage Friday (15), of the late Leighton Stretton, playwright and writer to Frederic Willis, assistant to president of CBS, revealed.

Stream-lined trains made it's debut. First haul from Chi to Los Angeles.

Seth Parker's tow towed to Pago Pago by U. S. Cruiser after being disabled.

U. S. government will adopt baseball and try to promote it as a national sport.

Consolidated Film Industries postpone action on April 1 dividend until March confab.

Students of Columbia University now rehearsing their 42nd annual show, entitled 'Flair-Flair, the Idol of Paris', to be presented at the Astor.

With opening of George Bernard Shaw's new play 'The Simpleton of Paris' in London, the British little patriotism, state foggy city is center of European night-life.

Applauding Paris and Vienna. Slide film sold standard. The price of low prices are causes given.

Hedgerow theatre, of Monks Road, Valley, Pa., will give its first New York performance at White Plains, March 1.

National Federation of White Clubs holds its convention in Philadelphia between April 23 and March 1.

GIU winner in Grand National Sweepstakes of 1933, which netted her \$11,000, declared insane by a federal court.

Medicos say constant hounding by blackmailers and propositioners led to her insanity.

Roxy theatre held up after the Sunday night performance by a lone robber who cowed three men and made away with \$10,000.

leaving behind about \$5,000 in silver. Complained of having been short-changed by the police.

Police issued an appeal to anyone who saw an auto parked at B'way and 48th street, Wednesday (13), about 5:15 p. m. Victim was William Morgan, 70, an employee of Equity, who died of a heart attack.

'Petitcot Fever' sketched for March 4, will not arrive until the 15th.

Theatre Union switches a title. 'The Pit' becoming 'Joe Kovarsky's'.

Report to the Mayor, finds that the Dept. of Water Supply, Gas and Electricity has been guilty of selling water at a profit of \$100,000.

projectors, getting from \$100 to \$200 for each of about 20. Three to be sold to the Electric Board.

transfer of licenses to Civil Service, Brian Abernethy and not Basil Rathbone will be Robert Brynning in the

Cornell production. Rathbone was recalled to Hollywood.

'Post Road' skipped a performance Monday (15) to permit a transfer from the Masque to the Ambassador. Elevator ops in N. Y. his district on strike.

Suit over the estate of the late William Muldoon settled: out of court. For next week.

Adopted daughter, Margaret Farrell Muldoon, paid Ernest Jared \$21,000 for his half of the Muldoon health farm which Jarrett claimed had been given him.

Cyrena Van Gordon to rejoin the Met. For next week. She's been out with a dislocated hip, sustained during a performance.

Earl Carroll in trouble with Miami police over a parking row in which it is asserted he interfered with a policeman was arresting him.

A. R. Allen named manager of Phila orch. He's a N.Y. newspaper man.

Zita Johann bounces out of 'Phonix'. To go into a Prandello play.

George White to produce a spring 'Scandals'.

Roof-of-the-Alhambra-theatre, Havana, closed in Monday (16). Twelve injured.

It's a treasury ruling that tourists can't get duty-free liquor and liquor duty free. But until the rule can be promulgated limit is one quart.

Phillip Merivale to head a Shakespearean rep for Crosby Gage next season.

Equity fears lost her appeal against the judgment entered against her by the trustees of the Equity Club Shop. She said she filed her appeal within the time limit.

Richard Bennett badly hurt by a fall from a horse in England. Details vague.

## Coast

Juan Larrinaga engaged to reproduce motion pictures of the Pacific International Exposition, opening May 23 at San Diego.

Al Galinsky, musician, has been indicted, retained by the U. S. Attorney.

Congress of Rehabilitation appeals to L. A. Park Board for use of Greek theatre in Griffith Park to stage series of pageants, with admission free to vegetables and other commodities.

Carolyn Nolte granted Reno divorce from Samuel Feldman, N. Y. actor.

Joan Redell, beauty contest winner, jailed in L. A. on grand theft charge.

John Barrymore (Dolores Costello) and Mrs. Lionel Barrymore (Irene Fenwick) in Good Samaritan hospital, L. A., suffering from influenza.

Erwin Katzer, studio technician, received third degree burns when a flash exploded over him.

Dog masochist for horses at the Santa Anita track taboo following rabies cases.

Arnold Lloyds celebrated their 12th wedding anniversary Feb. 16.

William Ullman, Jr., writer, ascribed attack on him to crusade against scenario-school racket.

Alma Ross, touring England, with Lloyd Frinz dance troupe, to marry Bill Stephens, English comedian, in London.

Deportation of Thomas Oliver Clark, English film writer, who overstayed a visitor's permit, recommended by U. S. immigration officials.

Conrad Knapp denies having matrimonial designs on Berry Jane Lee, actress.

Beverly Hills Little Theatre group opens drive for new theatre with \$25 to \$100 plate dinner, donors to have their names hung in plaques over foyer.

Validity of marriages of Californians in Yuma, Ariz., is challenged as subterfuge to circumvent the law.

Quadrangle Wells, Wampas babe, to marry Walter Brooks, son of Mrs. Lionel Atwill.

South Coast court verdict passes way for collection of \$125,000 damages by Mrs. Eric von Stroheim, the result of burns received in a beauty contest.

Federal income tax liens slapped on Phillips Holmes for \$1,018; Lillian Russell for \$1,018; \$1,352; Spencer Tracy, \$330; Nacio Herb Brown, \$336.

Butch and a company of her suit against an ally to recover 5,000 shares of stock.

Conspiracy charged by ex-husband of actress, former film player, in suit to set aside property settlement and recover \$25,000.

George Eastman, the former film bandmaster, awarded a court judgment of \$4,200 against a San Diego dentist, result of a scuffle in 1928

## Par Peace

(Continued from page 5)

counsel to the stockholders' committee and the company, in the matter of the presentation of the plan.

So far as John Harris's position is concerned he appears to stay in the picture, although the Soid-Munger committee may voice objections to his nomination for the board, April 4, when the whole matter again gets the attention of Federal Judge A. C. Cox.

### Court's Order

At the hearing held last Thursday (14) Judge Cox issued an order returnable April 4, why he should not make preliminary confirmation of the plan, as presented, and order it to become immediately effective subject, of course, to all legal requirements. Meantime, Judge Cox apparently surprised various counsel in the situation by his suggestion that he incline to grant creditors and stockholders permission to withdraw, without assessment, from any deposit agreements, on application to the court. He also indicated that he would approve the various agreements, inasmuch as they are non-assessment withdrawal privilege. Counsel for the various committees and the company, in the matter of the plan, as presented, and order it to become immediately effective subject, of course, to all legal requirements. 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# OBITUARIES

## HENRY J. PAIN

Henry J. Paine, 52, who with his father, James Paine, originated the pyrotechnical spectacle, died in London, Feb. 14.

The Paines came to New York in 1877 and the following year they inaugurated a fireworks display at Manhattan Beach, following the Gilmore concerts, a special arena having been erected. This was "The Last Days of Pompeii," which employed a large cast of pantomimists and dancers in a performance leading to the fireworks eruption of Vesuvius. This was subsequently toured, playing in bull parks and similar enclosures.

This was followed by other spectacles, each running the entire summer season at the beach, each presenting its superficial pantomime, embellished by vaudeville acts, and terminating in a blaze of burning gunpowder. Perhaps the most ambitious was "The Battle in the Clouds," which was the first depiction of aerial warfare. Others had to do with the Chinese-Russian War, mythological subjects, and whatever they would lend itself to a pyrotechnical finale. The factory was located along what is now the right of way of the Brighton Beach branch of the B. M. T. at about Ave. J, then open fields, but now

ago took charge of the road production of "Cosmote" and "Animal Crackers" for the Marx Brothers. He was a member of the Lambs and of the Theatrical Press Representatives Assn.

He is survived by a brother, a banker in Columbus, O.

## JANE WHEATLEY

Jane Wheatley, for a third of a century on the stage, died in New York Feb. 17. She made her first appearance with Viola Allen in "The Christian," and had played with Faversham and had appeared in numerous Broadway productions. Her last appearances were in 1933 in "The Warrior's Husband" and "Dangerous Corner."

She is survived by her husband, Galway Herbert, and two brothers, William and Walter Simpson.

## BETTY COYAN

Betty Coyan, 34, who appeared in pictures for eight years prior to her retirement in 1929, died Feb. 10 in Council Bluffs, Ia. Her husband, Dr. Harry C. Timberman of Los Angeles, survives.

## AUGUST BROHM

August Brohm, 61, vaude comedian, writer of a number of joke books and songs, died at his home

at his home in Jackson, O. He had been in failing health for six months. Burial locally.

Pearl Saylor Brown, wife of Colvin W. Brown, died in New York Feb. 8.

## Coughlin Trend

(Continued from page 1)

minute disc, with five minutes left on each program for local announcements and the selling of Townsend booklets at 25c each.

Stations which have been contracted for already are KXN, Los Angeles; WHO, Des Moines; WJJD, Chicago. Negotiations are now on with WYH, New York. Kefauver is also in the east readying time on an Atlantic coast transmitter.

Besides the regular layman lecturers the stations are getting a lot of clerics, because each of whom can't see why they can't do as well as Father Coughlin. And the stations are having a little difficulty in keeping these clergymen off the microphones, because each individual preacher comes into the studio with the backing of his own flock, all of whom believe that their spiritual minister has a message which must be heard from the rest of the waiting world.

## We Know Everything

What is particularly annoying to the stations is that the preachers won't stick to religion or the Bible any more, but are branching out into political economy, political science and sociology. They talk about the gold standard, the index of commodity prices, the gerrymander system, etc., more than they do about Ezekiel or Jonah or the whale. Pretty ticklish situation, which is causing a sudden epidemic of insomnia among the station chieftains. Many stations are starting to try to set up policies which ban religious or political speakers from their mikes, but they are having considerable difficulty in setting up any such hard and fast rule.

Bigger stations are able to get away with it by saying that each time is completely occupied, and in that manner can eliminate a great many would-be leaders of the people. But the smaller stations are in between the station without much standing in the community hasn't the nerve to refuse because of the fear of losing additional standing.

## WB Split-up

(Continued from page 6)

Leonard Schlesinger, owner of Philly houses, including all subsequent and the deep sea. When offered money for the time, they grab at the chance of adding to the income, and when some appealing clergymen asks for help in the station without much standing in the community hasn't the nerve to refuse because of the fear of losing additional standing.

In testing the decentralization of this time, zone managers are at all other buying in the field, including supplies, equipment, etc. By avoiding the necessity of requisitioning New York for all these supplies, Warners feels that certain detail and expense will be eliminated by this move. At the same time responsibility of zone managers will be increased with their operating powers.

It is explained that while New York operating authority is not being eliminated, it is felt that the various field operators have reached the point in service with Warners that they are no longer as powerful in the past. On important decisions, New York will figure.

In addition to detail cut out by buying from the field and widened operating power, Warners plans an audit of the zone managers' territory under the same management. It will not be set up overnight but gradually. WB at the same time studying how it's working out.

Advertising for Warner theatres will be taken through Mort Blumenstock to the home office, with its close contact in the field through frequent trips to territories on pictures, campaigns, plans, etc. Clayton Bond remains in charge of film buying.

Leonard Keller orchestra opens at the Blumstein hotel, Chicago, March 3, replacing the Art Kassel band, which heads on a short tour.

# CATER

(Continued from page 61)

on De Miller's "Crusades," hit by the Bu. Chas. La. phibiting. Bud Lott made a lot of patriotic speeches last week as part of national defense week observance.

Beverly picture houses running trailers announcing smoking in theatres illegal in that ritzy burg. Bessie Barker and Alan Cramer, general counsel for Pioneer Pictures, in and out from the east last week. Benny Rubin looking for new gags. He's m.c.'ing the Warner Club banquet at the Biltmore Bowl Feb. 22.

Metro is warming up to "Masquerade," produced in Vienna by Willy Forst, and has ordered an English translation.

J. P. Maxfield, ERPI expert, lectured Academy technicians on latest sound recording, and reproduction development.

Nils Asther lawed for \$3,800 by his landlord, who claims that amount of damage to premises during tenancy-by-act.

Paramount did not lift option on "The Great Dictator" from Van Dyke Henry Myers and Frederic Stephani also off Par writing staff.

Dick Fritchard eastbound to manage the Theatre, Green Bay, Wis., after two years in Columbia's publicity and exploitation dept.

Dorothy Parker and Alan Cramer entertained Hollywood friends and had so many at the house the party moved to the sidewalk.

John Wharton handling with Lyda Robert for latter to take a featured spot in producer's film musical, "Every Night at Eight."

## Mexico City

By D. L. Grahame

Town's first cocktail club opened. Waldo Brown, Irving Berlin, here and filling his note books.

Dan Cosack Chorus working at Palace of Fine Arts (National Theatre).

Current pic pushovers are "The Painted Veil" (MG) and "Border Town" (WB).

Government party formed commission to develop the Mexican theatre along nationalistic lines.

Mexico's only two female comedians topped the bill at the local bull ring on Constitution Day (5) and proved a fair draw.

Rumors of the prompt reopening of the A. B. W. Club at Tajaluna, which was shut last month in the government's anti-gambling drive.

Japanese scenic pic-travelogue and landscapes—exhibited by Japanese legation at Teatro Hidalgo here.

Ramon Pereda, Spanish pic actor-director-impresario, to New York. He was here last month in connection with the season, which is one of the worst that way in years.

Trió has been named as the conductor of one of the gorings dropped dead of heart failure.

Three theatres at a radio station have been asked President Cardenas to end the two months' wages, which the theatre managers' management is withholding without justification.

## Shanghai

Johnny Romero is still playing successfully in "Calcutta."

Dick Hamilton recovered from recent operation and busy again booking his cabaret and hotel circuit.

All acts on Hamilton's string now regularly booked to Sagon for 3 weeks in this French Indo-China town.

Bailey & Cowan at Paramount ballroom, in addition to their act.

Edmund Cowan as director, have produced a line of 16 gals for flood.

Earl Whaley's band at the Santa Anita Hotel, the 100th gets a 5 years' extension from March 1. It's now an eight piece organization.

Stacy and his King of Kings with Clayton at Candimoro, now closed, has joined up.

## Vienna

Theatre an der Wien in bad shape.

State opera ball is social event of the season.

Fritz Massary expected back from U. S.

Andre Obery's "Noah" featured at the Theatre for the first time.

Albert and Elise Baeremans to star in "Gentlemen" at the Komedie.

Stacy and his King of Kings presented by Czech ensemble in Volkoper.

Eduard Bourdette's "Les Temps Difficiles" gets excellent notices here.

Paul Gerardy's "Do-mi-so-do" under contract at Josefstadt theatre.

Stadt theatre in Graz, Styria, announcing "Men in White" after Vienna run.

"Man Who Changed His Name,"

by Edgar Wallace, getting an all round roaring.

Hans Woerster from Schauspielhaus, Dresden, replacing Paul Hartmann at the Burg theatre.

Emil Jannings, here discussing a talker based on Gerhard Hauptmann's "Fuhrmann Henschel."

Oscar Homolka back here for a week before starting rehearsals under Charles B. Cochran, London, in "The Sign of the Cross."

Composer Leo Ascher back from London after conducting for B.B.C. and giving successful private audition at C. B. Cochran's Sir Oswald Stoll, Ralph Nettle, Mrs. Cheterton and Gilbert Lennox.

## Chicago

Shannon Dean booked into the Chez Paree.

Lou Lipstone heading for a Caravan tour.

Pearle Simon in the loop for a couple of days.

Jack Kapp planned through on his way to the Coast.

Bill Stein zooming to the Coast on a tour.

Ed Levin and frau off for a couple of weeks in the West Indies.

Jack Papp flying to Kansas City to take a look at the Newman.

Eric Gibbs in town reporting the Dionne tour for the Toronto Star.

Paul Sanders, alias of the Keough-Lasky "French Revue" unit.

Bill Canham recovering from a slugging by a couple of hold-up guys.

Patricia Garrity, with "Ziegfeld Follies," being tested for pix on the Coast.

W. A. S. Douglas turning out feature copy for the Herald and Examiner.

Four Camerons, back in vaude after a three-year absence, initiated by the Oriental.

"Flickora" Fran Gama Stan, Swedish musical flicker, previewed by the Herald.

Jim Mullen and Nola Lewis reviving the fight bit around the mid-west with bargain flat-fests.

## Fox Appeal

(Continued from page 5)

affirmed the lower court action and denied a motion for new arguments.

Fox attorneys complained that the Minnesota courts had misconstrued the "human law" test in the decision of the U. S. Supreme Court.

As it applied to the standard exhibition contracts. Contention was that when the arbitration provision was invoked, the remainder of the contract was null and void.

With the law, a point which the Minnesota tribunals refused to grant.

According to the Fox briefs in this proceeding, Paramount case decision by U. S. tribunal established that nothing was illegal in the contracts except the arbitration clauses and that the remainder of the agreement was not illegal.

## Fox Angle

Fox lawyers in New York yesterday (Monday) said the company is going to the U. S. Supreme Court again on an appeal from rulings by Minnesota the courts upholding the contention of A. B. Muller, exhibitor, that the old standard exhibition contract was nullified by arbitration provisions.

This follows the Supreme Court dismissing Fox's appeal in favor of the Minnesota exhibitor, who was originally sued by Fox for failure to carry out his contract with that distributor.

"Fox holds," its appeal was lost in Washington not on merits but due to the fact that a mistake had been made in taking the case from Minnesota courts to the U. S. Supreme Court on a writ of certiorari.

But for technical reasons in preparation of the appeal it will be necessary to reargue it. This will be done, according to Felix Jenkins, Fox legal executive, as soon as the papers can be prepared. Jenkins can't estimate how soon that will be.

The standard exhibition contract, under which Fox originally sued Muller, has not on merits outlawed together with arbitration.

After being sued for failure to carry out his contract for film with Fox, Muller obtained a favorable decision in Minnesota courts in view of the Thacher ruling against the old standard form of contract.

Judge Thacher handed down that decision about five years ago. Since then each distributor has used its own form of exhibition contract.

## IN MEMORY

## Jenie Jacobs

February 21, 1933

"PAULINE"

thickly populated Manhattan Beach at that time was owned by the Long Island R. R. and was open to the public at a price.

The company also supplied celebrations with fireworks displays and acts, and at the inaugurations of Presidents McKinley, Theodore Roosevelt, Wilson and Taft, displayed at the base of the Washington monument. It also staged spectacles at the first Chicago fair, the Buffalo exposition, and the Cotton States fair in New Orleans in 1885.

During the campaign of William Randolph Hearst for Mayor of New York the company was hired to give displays at rallies. At one event in Madison Square, sparks entered the storage boxes in some manner and the resultant explosion inflicted many personal injuries. The damages amounted to so great a sum that the company was virtually forced out of business, selling out to a smaller rival. It marked the virtual ending of great fireworks displays in this country.

## GEORGINE B. CONOVER

Mrs. Georgine B. Conover, 57, died in New Brunswick, N. J., Feb. 12. As Georgine Brandon she ran the gamut of the theatre from Shakespeare to Gilbert and Sullivan.

Her last stage appearance was in "The Bride Shop" at the French Queen in Richard Mansfield's production of "Henry V." and had played with all three of the Pickfords in "The Child Wife."

She was also seen in "The Than Queen," "The Conquerors," "Checkers" and "Beau Brummel."

Survived by her husband, two sisters and a brother.

Ed. S. Riggins, 46, general manager of the four Central California radio stations operated by the McClatchy group of newspapers, died Feb. 11 at Fresno, Calif., from cancer of the throat.

Riggins, formerly in an editorial capacity with the Sacramento Bee, took over the operation of KMJ, Fresno; KWG, Stockton; KREN, Bakersfield and KPBC, Sacramento, when his newspapers became allied with the air chain.

He was also business manager of the Fresno Bee, a member of the McClatchy newspaper group.

His widow survives.

WILLIAM E. GORDON

William E. Gordon, 69, for the past five years advanced for Sam Harris, died in Miami Feb. 14.

He was the road manager for Mrs. Patrick Campbell on her first tour of the country and handled a tour for Viola Allen. He was also a member of the advance staff of Klaw & Erlanger, and nine years

in Denver. He had lived in Denver since 1882 and was one of the vaude stage many years. He is survived by his wife, Frances, and a brother and sister. Funeral services and cremation in Denver.

## FRANK COHEN

Frank Cohen, 46, veteran film man, lately with the H.E.R. Laboratories, died Feb. 17 in New York. His widow, the former Hattie Bates of the stage, survives.

## HUBERT T. MARSH

Hubert T. Marsh, 56, managing director of British & Dominion, died suddenly, Feb. 14, in London, of heart trouble. More detailed story on foreign film news page.

Percy Rogers, 36, died Feb. 10 in Los Angeles, when his Jaguar vehicle was severed in an auto collision. Rogers, a projectionist, employed at the Trojan theatre, was driving his home in Hollywood after the Sunday night performance when he crashed into by another car. His widow survives.

William Morgan who conducted Equity's addressograph department died in the Polyclinic hospital, N. Y., Feb. 15, of a fractured skull. He was the victim of a hit-and-run motorist. Morgan was at one time in the chorus of the Hippodrome theatres.

Marian De Forest, who made the dramatization of "Little Women," died in Buffalo Feb. 17. She also wrote "Eastwide Sagan" for Mrs. Pickle. She also collaborated with Zona Gale in a series of radio sketches for NBC. Up to 1924 she had done drama criticism for the Buffalo Express.

William J. Keller, 72, a member of the Grand Opera House orchestra, founder of the Dubuque Military band fifty years ago, died at his home, Dubuque, Ia., having been ill only five weeks. His widow and a son survive.

Brother (Herman) of Elmer Dressman, publicity director for WOKY and L. B. Wilson string of theatres in Covington, Ky., died Feb. 13 at his home in that city, following a prolonged illness. Survived by widow and two children.

Mother of Meyer Davis died in Washington Feb. 17. Survived by three sons, three brothers and three sisters.

John Singer, 35, European author, died Feb. 11 in Los Angeles following an operation.

David E. Howell, 65, for 29 years secretary of the Southern Ohio Pittedford Association, died Feb. 11



# San Diego Will Make Big Splash With Its \$15,000,000 Expo in May

San Diego, Feb. 19. This southernmost American city along the Coast will make an important bid for tourist trade this summer with its \$15,000,000 California Pacific International Exposition. Set to open May 28 on its 1,400-acre site in Balboa Park, promise is made that it will be one of the biggest outdoor layouts seen on the coast since the world's fair at Frisco.

Patterned pretty much after the Chicago's Fair, local setup will lean heavily on industrial exhibits. Included in this category will be the Palace of Science, Palace of Electricity, and Varied Industries, Palace of Fine Arts, Women's Palace, Children's Palace, Palace of Travel and Transportation, House of Pacific Relations, Japanese Group, Villages of the World, Palace of Natural History, and a score of others.

Midway tricks will be numerous, many of them coming from the Chicago fair. C. C. Pyle will regenerate the Chicago's Oddities and will be in it or not show. Replicas of Golden Gulch will be spotted just off the midway with all the blatant yips of a 49 mining camp. Stanley Cruchette is bringing the Midway City and Midway Farm setup from Chicago.

**Choice on Concessions**  
Publicity matter sent out by the expo quotes Bill Barie, in charge of shows and concessions, as stating that he has turned down more than 75% of the applications for locations and that only "high class stuff" is being considered. He adds that 90% of the amusement zone is already booked.

Latest to be accepted are the units of Lew Dufour and Joe Rogers. They include "Crime Does Not Pay," "Life," "Freak Animals," "Darkest Africa," and the "Two-Headed Baby." Dufour is said to be coming Europe for new attractions to bring to the expo.

Heaviest contributor to date is Henry Ford, who will construct a building to house his exhibits—in addition to the Ford Boud, which will accommodate 80 musicians for daily symphony concert. Bell Telephone laboratory exhibit will show the workshop of scientists with a display of many new gadgets, including the "speech inventor," the "radio recorder," "oscilloscope" and "voice sight."

Officers of the exposition are G. Aubrey Davidson, chairman of the board; Frank Belcher, president; Z. Warner, managing director; J. David Larson, executive manager; and Waldo Tupper, in charge of exhibits.

## Hamid Nixes Side Shows

Charlotte, N. C., Feb. 19. George Hamid, who holds the operating lease for the North Carolina State Fair, at Raleigh has just attended a meeting of fair officials, following which newspapers quoted him as telling the officials that he favors exclusion of shows and gaming devices from the midway. He stressed in the meeting that the exhibits and high-class grandstand attractions are the most desirable fair amusement features.

## New Ops for Denver Park

Denver, Feb. 19. Lakeside amusement park has been bought by a new company headed by Benjamin Kastner, Lakeside Park Co., from the bondholders' protective committee of the Denver Park and Amusement Co. Price was not announced.  
Besides Kastner, the company has Albert W. Johnson, Robert K. Mullen and John Elton. All have been in the management of the park. Kastner will be manager, Johnson superintendent, and Mullen publicity director.  
Old company lost the park through foreclosure in 1931 and it was operated by a receiver until the committee took charge. Park contains 160 acres. Opening on May 25.  
Name bands in El Paso, the ballroom will continue to be the policy, and Kastner is in Chicago conferring with the Musco Corporation of American on this feature.

## Miller Holds 101

Oklahoma City, Feb. 19. Col. Zack Miller was in active command of historic 101 ranch, located near Ponca City, Monday, as reports persisted that the trustees contemplated an injunction suit to keep him from interfering with their operations on the ranch.  
Miller took charge of the ranch Saturday after a bankruptcy hearing at Ponca City before A. L. Harris, conciliation commissioner. The creditors, who had the trustees named to preserve the assets of the ranch, have 60 days to reply to Miller's proposal to pay off his \$500,000 in debts in ten years at 3 percent.

## Biz Up in Detroit

Detroit, Feb. 19. All attendance records for annual Shrine Circus were shattered when its two weeks engagement came to a close, Sunday (16), according to Tunia E. Stinson, chairman. Features with show this year were Clyde Beatty with a new group of lions and tigers; Gretunas, high-wire; Bombays, bounding wire; Cristiani troupe of riders; Fritz's musical seals and Mickey King, endurance aerialist.  
Show moved intact to Cleveland under Grotto auspices.

## Helping Dallas

Dallas, Feb. 19. Major Lenox Lohr and four division chiefs of the Century of Progress are helping Dallas unearl banks in the setup for the 1936 Texas centennial exposition. Lohr, director of the Century of Progress, was here all week. The four division chiefs who arrived Friday night were H. Herzog, accounting; Lewis Eldridge, design and construction; J. Franklin Bell, exhibits and concessions; and E. W. McConnell, chief engineer.

## Death Calls in Reading

Reading, Feb. 19. "Jolly Ethel" Gaudin, 41, died in a hospital here Feb. 12, of an abdominal ailment of less than a week's duration. She weighed 540 pounds and had been showing here with the Austin-Kuntz "Freaks of Wonders" freaks in a Penn street store room.

Neal Howard Austin, 41, one of the owners, but not of the show, was found dead in his bed in a hotel Feb. 10 here, after a heart attack.

## C. A. Meet

(Continued from page 7)  
court order to force the authority secretary to supply them.  
Evolving chairmanship plan, with a different chairman at every Code Authority session, was attacked as being an unfortunate line-up. It was implied by an irate member that such an arrangement left too much authority to the CA secretary.  
Another speaker at the session wanted to know who appointed the 70 or 80 people employed on regular salary by the authority. He inquired as to who recommended their appointment. Where they came from? Are they political appointees? Are they taken from relief rolls?  
As a result of the excitement the CA session last week, originally intended to be a two or three-hour confab, was prolonged into a seven-hour session. And even then only nine of the 27 cases up for decision were acted upon.  
Sidney Justine, alternate for George Schaefers, was chairman at the meeting. Tyres Dillard, counsel of the authority, served as secretary in the absence of Flinn, who was absent.  
Some of the Code Authority representatives were also apparently irritated at being called into session because, as one pointed out, the CA had adjourned Feb. 7 until Feb. 11.

## TENN. WANTS CIRCUIT

Three State Fairs Gender Interstate Trotting Circuit  
Nashville, Tenn., Feb. 19. L. T. McTeere, of Maryville, named president of the Association of Tennessee Fairs at the conclusion of the thirteenth annual session Tuesday, Feb. 5, at the Noel hotel. S. F. Houston, of Murfreesboro, Tenn., was elected vice-president for Middle Tennessee; Pat Keer, of Lafayette for East Tennessee, and J. F. Walters of Huntsgton for West Tennessee. O. D. Massa, of Cookeville, was re-elected secretary and treasurer.  
Executive committee appointed consists of Rob Roy, of Alexandria; H. D. Faust, of Knoxville, and A. C. Topmiller, of Murfreesboro.  
A resolution was unanimously adopted by the association asking that all fairs be exempt from the sales tax.  
Tuesday morning plans for including the state fair held in Nashville and the West Tennessee fair at Jackson in a new racing and trotting circuit were submitted by W. E. O'Hair, who said such an arrangement would be called the "Western Circuit" and would include Springfield, Ill., Indianapolis, and Des Moines.

## MOSSMAN CYCLE RODEO BOOKED INTO JAP EXPO

Hollywood, Feb. 19. Putt-Mossman's Motorcycle Rodeo leaves here March 1 for Yokohama Exposition, Bert Fowler sails at the same time to handle several other American attractions at the fair.  
Eddie Gamble of the Bernard and Melklohn office is handling the account. Several circus acts and a wild west show are making the trip. Also 10 midjet racing autos and their drivers.

## Rodeo Man to Die

Emmetsburg, Ia., Feb. 19. Patrick Griffin, rodeo manager and performer, has lost his last appeal for an order of execution to a governor of Iowa, and will go to the gallows for his part in the death of W. F. Dilworth, deputy sheriff of Blackhawk county, Waterloo, who was killed in 1932. Date of hanging has been set for April 5.  
**TRI-STATE FOLDING**  
Burlington, Ia., Feb. 19. Trail's end seems to have been reached for the Tri-State Fair Association, one of the oldest in this section. The association is asking that a receiver be appointed.  
It is alleged that bonds issued to finance the organization and to carry on are in default.

# Cole and H-W in Ohio Conflict With Contracting Agents Busy

Canton, O., Feb. 19. Contracting agents for several of the major railroad shows have been playing hide and seek with each other in eastern Ohio industrial centers for the past month the earliest agents have been known to contact prospective stands in the history of the circus.  
Reason is that the new Cole Bros.-Clyde Beatty circus plans a hasty trek into the mill districts immediately following the Chicago engagement of the show in April. Ringling-owned shows have had representatives out most of the winter protecting their major stands against the invasion of the new competitor before their usual time of making eastern Ohio territory which in recent years has been the middle of May.  
Ringling agents for several weeks have been keeping close tab on the larger industrial towns in eastern Ohio, where steel mill production is at the highest level in many years, and in some instances have already taken out permits for showing in these cities in May, June and July.  
The Cole Bros. advance staff has not been idle and also have many of the better spots lined up for early May showing, which means that the new show will likely have a run-in with the Hagenbeck-Wallace outfit in this territory early in the spring. At about the same time

# Burlesque Indies Win Fight Vs. Mandatory Code Budget: Called 'Trade Association' by NRA Heads

## Trying It Again

Youngstown, O., Feb. 19. Princess, downtown burlesque house dark for some time, again opens with stock burlesque and vaudeville under the management of Ralph Pitzer, former manager. Harry Prather is in charge of producing the bills which will be changed weekly. Policy will be two shows daily with an occasional mid-night performance.

## Canada Off Races

Toronto, Feb. 19. Government grants to exhibitions and fairs will not be curtailed this year—the promise given to outdoor amusement officials holding their 35th Fairs and Exhibitions conference here.  
They were warned, however, to discourage horse-racing in which entries were "half-fast" steeds and to put the greater part of the government grants into prizes for live-stock breeders.

## Back to the Tanbark

Des Moines, Feb. 19. Mrs. Wm. Hoogewoning of Ottumwa, Iowa, formerly Nellie Orton of circus fame, is planning to hit the sawdust trail again. She has bought an elephant and three trained ponies and a truck to convey the animals on the circus route next summer. Her sister, Grace Orton, will have charge of the act and the two plan to make a foreign tour with the elephant and pony act next winter.  
Wm. Hoogewoning, who inherited two million dollars about four years ago, has been the owner of several circuses and is known to circus fans as "Colonel Hogen."

## ASKING DAMAGES

Chardon, O., Feb. 19. Suits for \$5,000 each, charging serious injuries were suffered by them last July 4 when wooden benches and chairs collapsed at a fire works celebration have been filed here against the Geauga Lake Amusement Co., operators of Geauga Lake park, near here.  
Plaintiffs are Helen Gordenisky, a minor, and Yettis Ziedman, a minor, both of Cleveland. The mothers in each instance started the action.

Washington, Feb. 19. Burlesque will be compelled to enforce its NRA code without an assured source of funds for operation as the consequence of a decision Monday (18) that the mandatory \$24,000 budget shall be scrapped.  
Concluding that the majority of functions of the present code authority are not related to enforcement of the competition pact, but are distinctly of trade-association character, Deputy Administrator William P. Farnsworth and his advisors officially mixed their plans to soak every burley operator \$10 a week and insure I. H. Herk, head of the National Burlesque Association, a \$10,000-a-year income.  
NRA decision is a win for independent burley managers who charged at budget hearings several months ago that the National Burlesque Association was attempting to unload an unsuccessful trade association on the industry.  
Farnale would not comment on these accusations, but the nature of the final decision, after weeks of consultation and consideration, was regarded as substantiation of the indie view.

## No Labor Problem

Amplifying the bad decision, Farnale noted that the industry has virtually no labor problem since actors and stage hands are well organized and collective bargaining is the generally accepted practice. With labor clauses comprising most of the code, government execs saw no reason for forcing every operator in the country to give up \$400 per annum for support of the NRA.  
Scrapping of the code by the industry appears in prospect, but the idea did not create much concern in government circles. In fact, several of the NRA members more or less in accord with the idea, since they have reached the conclusion that burley has little competition and at one time were playing with the idea of abolishing all except the labor provisions.

Vigorous efforts to obtain sanction for the \$24,000 sock were made by Herk, who enlisted the aid of former Republic Editor John Q. Tilton. To all claims of beneficial work by the codists, the NRA replied, "That's trade association stuff."  
One of the principal arguments in support of the \$10,000 salary for Herk was that he has been of immense value to the entire industry by preventing blue-law persecution and by arbitrating intra-industry squabbles. But the NRA men were unmoved in their contention that such work is entirely outside the scope of code administration and enforcement.

Special counsel of the government department goes forward to Herk and other codists tomorrow (Wednesday).

## JAFFE GIVES PITT TO STAFF; STAYING EAST

Pittsburgh, Feb. 19. With his acquisition of the Gaiety in New York, George Jaffe, veteran burlesque operator, has withdrawn from the local field, turning over the Variety to musicians and stagehands. Union men, who have organized the Mustang Enterprises, will operate house for the remainder of the season with stock burley and have made arrangements with a number of stock performers to stay in the city to use a cooperative salary arrangement.  
Once before, last season, Jaffe gave the house to the musicians and stagehands but took it back after only a couple of weeks.  
Eddie Kaplan remains as producer and chief comedian for the Mustangs and resident company will include Joe Freed, Joe Moss, Mary Jane Perry, the Bravert, Ruth Yvonne, Vilma Josy, Arlene Milbourne, Syd Burke, George Graffe, Chic Hunter, Four Blondellors and a chorus of 20 local lads. It's likely that Jaffe will stay in New York, leaving the Variety in his father's absence, will join the elder Jaffe in New York.



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# VARIETY

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## BLUE-BLOOD LEGIT BIZ

### Warners After U on Takeover With Manny Cohen as Production Head

Hollywood, Feb. 26. Despite repeated deals by Carl Laemmle, Sr., sale of Universal to the Warners, personally, is reported definitely under way. Expectations here are that the deal may even be closed within the next 48 hours. Takeover by Warners will probably be through Renraw, Inc., personal holding company of the three Warner brothers—Harry, Jack and Albert.

Simultaneous with Harry Warner's arrival from the east yesterday (Monday), Laemmle went to his studio for the first time in weeks. He had been confined to his home with an eye ailment.

Emanuel Cohen, recent production head for Paramount, figures in the deal as possibly taking charge at Universal City under the new regime. This, of course, would nullify any independent production plans by Cohen.

Transfer of all Universal properties, including the distribution set-up, talent and other contracts would be concerned.

Carl Laemmle has officially denied he will sell Universal, denouncing several bids for the purchase of (Continued on page 70)

### Microphone for Lunch As Algonquin Okays Rehearsed Informality

Algonquin hotel, New York, patronized by the sophisticated writing-acting-smart-cracking clique at luncheon, is to go on the air with its noon-time gatherings. Stunt programs start March 5 over WOR.

Thomas Stix will point the radio finger at the crumpled munchers and tell the hot polloi who's who.

Whether the rank and file of the Algonquin crowd will hall the stunt as a glorious opportunity to cop some free publicity or as an invasion of their privacy is unknown.

Hendrik Van Loon, Peggy Wood and a third to be picked out of a hat will lunch with regular constituents on the first program.

### Jack London Up to Date

St. John, N. B., Feb. 26. A lumberjack from the New Brunswick backwoods came to St. John, the regional metropolis, and got a job on the local police force without even knowing the names of the streets or buildings. He wrote back to his younger brother, Don Messer, that St. John was a push-over for a bright lumberjack.

Brother arrived for a musical career, got on C.I.S.I., and has become a regional favorite. So much so that his lumberjack orchestra has just played a Boston booking.

### Red Crossers

Arcadia, Cal., Feb. 26. Most popular guy in town is the ambulance driver. With a stretcher crew needed in daily attendance at the Santa Anita race track, ambulance drives in on a pass.

Recently nine guests of the driver piled out of the rear end when the conveyance pulled up in front of the grandstand.

### Burley Show's Opera Singers To Add Class

Minneapolis, Feb. 26.

Striving to elevate the taste of local burlesque patrons so that he gradually can raise the plane of his shows, Harry Hirsch, operating the Gayety, stock burlesque house here, will try the experiment of using small doses of grand opera as a starter.

Hirsch has signed a trio of former opera warblers for his company and each week he will build at least one number around them. He also will incorporate ballroom dancing and other class vocalizing in his shows, he says.

### WOULD TAX THEATRES FOR OLD AGE PENSIONS

Des Moines, Ia., Feb. 26. A bill has been introduced into the Iowa legislature that may sock amusements and athletic events for the benefit of the old age pension system.

Bill, by Representative James F. Johnston, Lucas county, would assess an additional 10 per cent tax on shows, films and all athletic events staged for profit.

Bill was reported out by the house ways and means committee, but without recommendation.

### 2d Ave. Fan Dancer

Old Rumanian restaurant, New York lower east side niterie, went Broadway last week with a floor show that consists of Sadie Banks, Jack Hirsch, Thais, fan dancer, and a line of girls.

It's the first show of the hotcha type to play this section. Previous entertainment at the Rumanian had been strictly old country. Al Davis and Mildred Raye did the staging of the current event.

### M'WEST THEATRE UNDER AUSPICES

Social '400' Organizations  
Put Up Protective Tent  
for Legit—Get Returns in  
Share of Coin and Pic-  
tures in Paper

#### THE EASY WAY

Chicago, Feb. 26.

With the regular angels veering away from legit and the regular producers unable to put up their own coin for shows, the midwest situation is gradually passing into the hands of various social organizations, off-shoots of the 400 and charitable society groups which are finding the angelling of legit shows a means of raising money and of getting publicity.

These midwest societies are stepping out either by organizing their own miniature theatre guilds or are taking over regular road shows and putting them under their label for general exploitation. Originally there was considerable money lost in these socialite theatre guilds because shows were generally amateurish and not able to stand the gauff of public scrutiny.

Among the local theatre groups was the Playgoers, which folded after the production of 'Romance,' with Eugene Leontovich. Supposed to be plenty of social coin behind this group, but they couldn't stand the steady drain of red. Uptown Players are society backed; so is the Drama Union in a lesser degree.

#### Something Simple

But the societies are generally veering away from the theatre guild angles as being too difficult, due to the fact that it becomes a matter of getting cast, director and the-

(Continued on page 66)

### Soiled Programs

Plenty of wailing among New York legit balcony patrons over the programs slipped them by ushers. Soiled, worn, and even torn, they look like pickups from the lower floor after the preceding performance. Heel prints are common. Lower floor patrons get fresh programs.

This balcony program matter goes for too many legit houses in town. If the managements don't do something about it, maybe the program advertisers will.

It's \$2.20 in a lot of balconies. And the legit bunch still wonders why the public has a grouse against the theatre.

### Whole Gang of Femme Impersonators Too Much for Moss; Banned in N. Y.

#### Time Out

'Mood rehearsals', which the Group Theatre uses as part of its summer routine, were adapted for two weeks during preparation for 'Bitter Oleander', which opened last week at the Lyceum, N. Y.

In 'mood rehearsals' the actors speak no lines, but just sit around getting into character mentally. The villain thinks evil thoughts, etc.

Broadway last week passed up the queerest show to hit the street since 'The Pleasure Man' set its record short-run, one performance and a raid, some years ago, but License Commissioner Paul Moss didn't. Cloaked in righteous wrath, and apparently burdened with the morals of New York City, he reviewed the unit 'Boys Will Be Girls' at the Circle and thereafter banned it from ever again playing in a metropolitan theatre. A letter to that effect was sent by him to Jack Linder and George Godfrey, bookers of the house, with the unit also ordered to pick up its skirts and run.

### Sidewalk Chill Healthier Than Chi's Lobbies?

Chicago, Feb. 26.

Health authorities of Chicago have sent a special request to all theatres here to avoid crowding. Are asking for two things: first, that the theatres keep their houses 80% filled or less, that is, to hold people out of the auditorium rather than jam them in.

And second, that this hold-out mob be parked on the sidewalk rather than in the lobbies. Due to epidemic of colds which have been floating around the populace lately.

Result has been a sudden sidewalk holdout spree around town lately which give out-of-town showmen a somewhat erroneous impression of the actual gross business being done.

### \$1.50 N. Y. EXCURSIONS SLAP LOCAL NITERIES

New Haven, Feb. 26.

A new headache for nite spots has cropped up here with the inauguration by the New Haven railroad of a series of New York Saturday excursions. For a buck and a half round trip, the r.r. takes 'em to Broadway in the afternoon, leaves 'em for a show or nite club and brings 'em back in the small hours.

It means a heavy dent in local Saturday nite patronage, which is the only paying eye of the week for most of these spots. Props figure if they can snare an occasional banquet or so for week night assistance, they can hold out as long as the Saturday cleanup comes through; but if the excursion idea is successful it will probably mean a fadeout for some niteries.

Cast of the show, which played an Atlantic City niterie last summer, one week at the Majestic, Brooklyn, last autumn, and a half week at the Bronx Opera House, also booked by Godfrey and Linder, is composed almost entirely of female impersonators. Only exception is a mistress-of-ceremonies, Billie Davis, who after the last performance at the Circle told the audience that Moss had banned the show from further dates in N. Y., and also told them what she thinks of Moss' censorship.

#### Physical Props

What Commissioner Moss didn't like about 'Boys Will Be Girls' was the girlish, semi-nude dances of the boys equipped with physical props. Terpsichorean work of the line of chorus-girls (boys) struck anything but an artistic chord with him, with, according to reports, his

(Continued on page 70)

### N.Y. Assemblyman Asks Law to Punish Jurors, Witnesses Going Vaude

Albany, Feb. 26.

Explaining he was aroused by the submission of the Hauptmann jurors for stage appearances, Assemblyman Carmine J. Marasco, New York City Democrat, is demanding a law to prevent such exploitation. He has introduced a bill making it a misdemeanor, punishable by fine, for anyone who has been a juror, or a witness, to appear afterwards on the stage for profit on the strength of their connection with a trial.

Marasco's bill also would ban presentation of wax figures or other effigies of principals or witnesses in murder trials.

#### Four for a Dime

Rochester, Feb. 26.

All local records for length of show broken by the Family theatre, downtown grid. Five hours.

Bill includes four features, two shorts and newscast, all for a dime.



## Film Code Looks Set to Stay As Gov't Resolves to Continue NIRA Till 1937; Some Revisions

Washington, Feb. 26.

Extension of the film code for two years, regardless of any opposition, feeling in the matter, appeared certain last week as President Roosevelt asked Congress to continue the Industrial Recovery Act with only incidental alterations.

Although the Chief Executive did not recommend any details in his message to lawmakers, outline of the new legislation being cooked up by brain trusters and White House advisers revealed that under the contemplated program all present codes will be continued in operation until June, 1937. Changes may be permitted to conform with revised policies fixed in the legislation, but on the whole, code revision will be in direction of tightening rather than loosening government's grip over industry and business.

Refusing to grant that Blue Eagle is dead, the President recommended that basic principles of the NIRA be left unchanged, but admitted that corrections are necessary to improve functioning and assure progress. Continuation of the law for another two-year period, will hasten industrial recovery, he said.

While urging preservation of main essentials, Roosevelt yielded before the demands of Senators who demand stronger application of anti-trust laws and inclusion of bans on monopolies. Changes will be made to silence charges that codes and the NRA have permitted big enterprises to crowd out little.

Revision of method of constituting film code authority will be required if contemplated revision along this line is effected. Congress undoubtedly will follow the President's lead and is expected to write into the measure stringent provisions which will result in giving indie producers and exhibitors greater representation on the industry's governing board.

### Broader Power

Broadening of government's power to impose codes and make arbitrary changes in proposed passes was specifically urged. This means that (Continued on page 65)

## Zobel Steps Up

Hollywood, Feb. 26. Having brought the Tom Mix serial, "Miracle Rider," under the wire three days ahead of scheduled Victor Zobel, on the strength of his supervision of this cliffier, has been upped to feature supervision at Mascot.

First feature assignment is a tentatively-titled original, "Streamline Express." No writers yet spotted.

## COLUMBIA'S STORY BOARD

Producers-Supervisors to Sit in With Theresa Helburn

Hollywood, Feb. 26. Columbia is latest studio to set up a story board, figuring to speed selection of yarns in addition to securing better material.

Group is headed by Theresa Helburn, story editor, with members sitting in on story conferences three or four times weekly. Producers and supervisors on the board include Max Winston, Sid Rocco, Robert North, C. Gardiner Sullivan, Lou Lusky and Everett Riskin.

## 'Marietta's' N. O. Debut

Hollywood, Feb. 24. Metro will premiere laughing Marietta's in New Orleans March 2. W. S. VanDyke, director, is en route there with the studio also sending Jeanette MacDonald and Hunt Stromberg.

Following the opening, VanDyke goes to Washington to photograph footage for a Metro Federal-gangster yarn.

## Oakie in 'Sailor'

Hollywood, Feb. 24. Jack Oakie has been given the role in "Sailor, Beware," which Bing Crosby-turned down.

Picture, on a short budget of \$200,000, is being rewritten to avoid censor trouble.

## Boo!

Hollywood, Feb. 26. Latest bid for personal appearance by picture stars comes from a graveyard outfit on the edge of the city. Several studios approached but so far no go. Spurge in connection with Easter sunrise services.

Picture people are also asked to sing—not whistle.

## CAN. GOV'T PASSES ITS ANTI-WAR FILM

Ottawa, Feb. 26.

Following a private showing of Canada's anti-war film before the Prime Minister and members of the cabinet, Government has formally authorized its release. Picture is "Let Us Forget," and is being sponsored by the Canadian Legion with Government approval.

Theme of the film is Canada's part in the war, but it embraces the whole conflict. Its purpose, chiefly, is to portray the sordidness and stupidity of war.

American film companies attempted to buy portions of this film have been turned down.

## Join ASC or Lose Studio Job, Edict to Stillers

Hollywood, Feb. 26.

Year old contract between the producers and American Society of Cinematographers, relating to exclusive employment of still cameramen from ASC ranks, is now, for the first time, being put into full effect.

Result is that about a dozen still men, not in the organization, face the alternative of joining the ASC or being ousted from various major studio departments.

Application of the contract, after a long period of leniency, follows the fulfillment some three months ago of closed shop agreement of the producers with ASC affecting first, second and assistant motion picture cameramen.

## Col. Tootsie-wootsie

Denver, Feb. 26.

For the first time Shirley Temple holds a commission in a regular regiment. Most of her titles of colonel have been bestowed by governors and her appointment as colonel in the 156th regiment, Colorado National Guard, is the first to be made by commissioned officer.

Col. Rufus A. Johnson signed the order.

## Miss Hudson's \$500

Los Angeles, Feb. 26.

Rochelle Hudson gets \$500 per week on a one year straight contract with Fox, according to document submitted for court approval through the Zauf-Evans agency representing this 18-year-old player. Option provisions build salary up to \$2,000.

## Ebens to Metro

Hollywood, Feb. 26.

Dances team of Vilma and Buddy Ebens from Broadway has been signed by Metro.

They go into "Broadway Melody of 1935."

## GEO. MCKAY'S FILM DEAL

George McKay, of McKay and Ardine, standard vaudeville team for more than 20 years, has landed in pictures as a result of a Columbia test made in the east by Bill Perlberg.

McKay leaves for Hollywood this week. He was playing on Broadway in "Merrily We Roll Along" when tested.



## WILL MAHONEY

"Birmingham Gazette," September 18, 1934, "Will Mahoney is the star turn. He has achieved the seemingly impossible by producing a really novel and funny dancing act, and can play a xylophone by dancing on it."

Direction  
WM. MORRIS AGENCY  
Mayfair Theatre Building  
New York City

## MEXICAN SCENARIST SUES FOX ON 'WAR'

Mexico City, Feb. 26.

In first suit of its kind ever filed here against an American producer Quirino Michelena, Liaguano, Mexican scenarist, is asking \$250,000 from Fox on alleged copyright infringement.

Scribner says he wrote and submitted a script entitled "Peace in War" to several Hollywood producers, Fox among them. Says it was rejected all around but claims Fox used the idea in "The Last World War," retitled "Peace on Earth" for Mexican distribution.

Fox's "Last World War" is a newswear and Government footage compilation. Title was bought from Laurence Stallings and Simon & Schuster, who published a book of war stills under that name.

## 'Miss' Back for Retakes, Will Delay Release Date

Paramount has sent "Mississippi" back to the Coast for a couple of retakes, all bookings on the picture being delayed as a result.

Among plans called off is the premiere in New Orleans day after the MPTOA convention, March 1. This is inaugural day for the Mardi Gras. Paramount, N. Y., which had "Mississippi" for week of March 8, has now penciled in two pictures ahead of "Love in Bloom" and "Private Lives."

## Gasnier on Deal to Pilot U.S. 'Left Bank'

Hollywood, Feb. 26. Universal's "Left Bank," temporarily shelved several months ago, now being prepared again with studio talking to Louis Gasnier on a directorial deal.

Picture was originally assigned to the late Lowell Sherman.

## Dwan's Double Deal

Hollywood, Feb. 26.

Allan Dwan has sold Fox his original, "Kiss and Make Up," and goes in as director. Sol-Wurtzel will produce.

Edmund Lowe and Claire Trevor set for leads.

## MCLAGLEN LOSES SUIT

Los Angeles, Feb. 26.

Judgment for \$2,310 was ordered against Victor McLaglen as damages for injuries sustained by Edmund Donnelly, six, in an auto crash in which the actor's car was implicated.

McLaglen's auto was driven by a chauffeur at the time of the accident.

## RADIO'S MIDDLETON

Raymond Middleton, from legit musicals, goes west for Radio Pictures on a deal set by Curtis & Allen.

Middleton is currently on the road in "Roberta." He leaves for Hollywood after the show's closing, March 14, in Montreal.

## FAMOUS FIRST NIGHTS

The following descriptions of memorable theatrical premieres is a compilation of stage, screen, concert or nite club openings which, for some odd circumstances or another, stand out in show business. They will be recorded without thought to chronological order. The reasons for the distinction of each premiere range anywhere from some historical significance, in connection with the debut of an artist, novelty show venture, play or company, to some other attendant excitement backstage, some colorful occurrence out front, or merely because of the gala circumstances. This is to be a continued series.

### 'Mille Champagne'

(Madison Sq. Roof Garden, N. Y., June 25, 1906)

Departing from its usual fare of vaudeville, the Roof Garden of the old Madison Square Garden was opened with a burlesque, "Mille Champagne," staged by Lionel Lawrence and starring Viola DeCosta, wife of the vaudeville agent, Walter J. Pilmmer, who was backing the show. The book was pretty poor and so was most of the company, though Maude Fulton, then new to New York, created an excellent impression. To bolster the show a number of stage novelties had been arranged, entrances through the audience and a trolley flight over the audience helping the first act.

When the second act had gotten under way three pistol shots threw the audience into an uproar. But all anyone could see was a huddled group around one of the tables. The band struck up and Lawrence came on the stage to announce that an accident had occurred and would the audience please disperse quietly. It was not until most of those present read the morning papers that they knew Harry Thaw had shot and killed Stanford White.

The show ran the season out and even the following year people, mostly from out of town, flocked to the place to see where White had been killed.

### NBC's Radio City Debut

(New York City, Nov. 11, 1933)

What should have been radio's biggest soap-and-fish night was the time they pulled the switch and started broadcasting from Radio City. But the affair wasn't all it might have been, presumably because of poor teamwork between RCA and NBC with the parent letting the child know that daddy was taking most of the bows that night.

While NBC vice-presidents grumbled about their inability to secure seats in the main studio, they saw the premiere performance start with plenty of publicity and some empty seats in the press. Surprising because the tickets were free and the night gala. At that, mingling with the white ties was many a business suit and all the ladies were not hatless. In other words, a mixed crowd when nothing but the elite was expected.

## Use of F.D.R.'s Likeness Brings Gov't Action Vs. Indie Propaganda Film

### Taking No Chances

Hollywood, Feb. 26.

Warners have ordered deleted the running gag referring to the Dionne quintuplets in "Daisy Mae Glory." Order came from the home office.

Reason given is that any such gag on the fivesome might result in bad feeling in Canada, and—event possible banning of the picture.

### Burr Loses Complaint

Hollywood, Feb. 26.

C. C. Burr's unfair practice complaint against the Small-Landau Agency and Ken Maynard was dismissed by a special code committee.

It was ruled that Burr failed to post satisfactory bond and submit Maynard contract during period of option on player for series of pictures. Also ruled that Burr's option failed to bind Maynard as employee.

### COL. RENEWS FAIR

Hollywood, Feb. 26.

Columbia has taken up options for additional six-month periods on Geneva Mitchell and Arthur Rankin. Miss Mitchell is now working in "Party Wives." Rankin just finished "Bright Belles."

### SAILINGS

April 16 (New York to Rome) Phil Reisman (Conte de Savoia).  
March 1 (New York to London) Mr. and Mrs. Sam Goldwyn (Majestic).

Feb. 28 (Los Angeles to Naples) Joe Brown (Rosamunda).  
Feb. 27 (New York to London) Clayton Sheehan (Manhattan).

Feb. 2 (New York to London) Mr. and Mrs. Charles Laughton (Champlain).

Feb. 22 (Los Angeles to Honolulu) Carl Brisson (Lurline).

### ARRIVALS

R. P. Baker, Mr. and Mrs. Michael Balcon, Mr. and Mrs. Olive Brook, Harriet Cohen, Buddy Rogers, Max Schall, Brookings and Van.

Eleanor Boardman, Henri d'Arrest.

Washington, Feb. 26.

One of the first cases of a motion picture being singled out for target of the Federal Trade Commission under regulations against false and misleading advertising cropped up last week when "Forward America" and Economic Films, Inc., of New York were named in a formal government complaint.

Commish ordered producer and Frank R. Wilson, president of the company, to show cause by March 29 why a cease-and-desist order should not be issued.

Commish action was directed at use of President Roosevelt's picture in the propaganda film in such a manner as to convey the idea that Chief Executive's approval had been given the picture and the anti-chain-store crusade with which the film is concerned.

"Misleading"

"Misleading and deceptive use of the likeness of the President of the United States—in the picture and of the accompanying oral comment is charged," Commish explained, and this practice is described as having a substantial tendency to cause respondents' film "Forward America" to be sold, leased, distributed, and produced, in competition with other motion picture productions, to a greater extent than would be the case without said likenesses and said comment."

Picture is five-reel propaganda aimed at American housewives and showing contrast between independent stores and chain and mail-order outfits. Distribution effected through local business organizations, usually ladies in various sections. Typical method is to sell blocks of tickets to business men who hand out ducaats to their customers.

Commish contended that film is made more plausible and persuasive by repeated use of F. D. R.'s picture, which also helps sales, and that Economic Films attempted to capitalize President's popularity so that film would have greater appeal. Result, Commish charged, is to induce consumers to believe that they are helping F. D. support and approves the propaganda.

Government asserts that no authorization for use of President's picture was granted.

# Goldwyn Swats Hack Scribes; Sees Royalty System as Only Way Out

Hollywood, Feb. 26. Some 70% of Hollywood writers, Sam Goldwyn speaking, are hacks and not worth their salt.

Goldwyn, after taking this swing at the film scribblers, turned to the producers, saying that the practice of getting writers to concoct yarns at \$1,000 and more a week, and then letting other scenarists rewrite their stories has done more to kill off the writing talent in Hollywood than any other cause.

Goldwyn made these statements following his engaging of Rachel Crothers, on a straight-royalty deal, to write an original for Liam Hopkins. Yarn is one Miss Crothers had ready for legit, but Goldwyn talked her out of it. Miss Crothers draws an advance of \$1,000 and a heavy split of the profits on a promise to spend six months on the screen-play. Proposition also gives the writer the right to have a say-so on production details.

Goldwyn declares this is but a beginning of the accounting of the writer plan for writers as far as he is concerned. Asked if he thought other producers would follow suit, he said that he doesn't care. He states he will make similar deals hereafter with other writers, but they must have something on the ball, not Hollywood hacks.

**Well-Known Runaround**  
Claim of Goldwyn is that the royalty plan will attract real stage and fiction writers to Hollywood, and will keep them here. Reason, he says, that so many have fallen herebefore is that they got the Hollywood studio runaround because few in the film colony know good material when they see it.

Goldwyn also paid his respects to directors. "They should be directing pictures and not writing them," he says, "for all the time Hollywood that know anything about writing can be counted on the fingers of one hand."

He made this comment along with his argument that the ideal way to produce pictures is to have directors and writers working together from the inception of a story until the film is in the cutting room.

And, speaking along this line, Goldwyn also said that one of the biggest mistakes Hollywood makes is the practice of taking a writer off a story the minute it reaches the director. "A screen play is no different than a stage play. Stage plays are made by line changes when it is in rehearsal—why not the same treatment for a film?" asks Goldwyn.

In the building up players at the boxoffice, stories have been overlooked, according to Goldwyn, who maintains "many an actor has been made by the part he plays. But no actor has ever made a part."

## Mae Clark Returns

Hollywood, Feb. 26. Mae Clark draws the lead opposite James Dunn in "Safe in Jail" at Fox, her first part for more than a year because of illness.

Player starts her comeback at the studio which first brought her here from the east several years ago.

## Oboron's M-G Single

Hollywood, Feb. 26. Merle Oberon, now in New York, has been given a contract for one picture by Metro.

"Miss Oberon" will be in "Flame With" with Ed. Harding and Franchot Tone. Yarn is by Edmund Goulding, who will also direct.

## LINDEN RETURNS

Hollywood, Feb. 26. Eric Linden, who walked out of Hollywood and Radio contract two years ago, because he preferred the stage, arrived here last week.

He goes into Rance's "Washington Correspondent."

## SPURIN-CALLEIA'S FIRST

Hollywood, Feb. 26. Joseph Spurin-Calleia, the cast of "Small Miracle," reported at Metro yesterday (Monday) to begin a term contract there.

His first part will be as heavy in "L. D. J." Department of Justice story.

## Squared

Hollywood, Feb. 26. Filmdom's of man ribber, Vincent Barnett, also can take it. In reprisal for an \$85 bill paid him in nickles and dimes, Dr. Frank Nolan, industry sawbones, framed a little act of his own.

While Barnett was working one of his well known ribs at a night club, Nolan moved in on his quarry with several white, frooked "interior" and placed the prime ribber in a straightjacket, remarking to observers that the man was nuts, that he thinks he's Vince Barnett.

## HOLD SCRIPT ON GARBO, RATHBONE IN CAST

Hollywood, Feb. 26. Metro will not prepare a shooting script on the next Garbo starlet, "Anna Karenina," until casting of the principal parts has been completed.

Product David Selznick takes the attitude that method of handling various characterizations will depend on the players chosen.

Meantime Clarence Brown is making daily tests so he can assemble a cast as soon as possible.

Basil Rathbone is being brought west by Metro for this picture. He is due here this week.

## Dix's New Deal

Hollywood, Feb. 26. With another picture to make on his present contract, Richard Dix has drawn a new contract at Radio calling for two pictures during the next 12 months. He will also be at liberty to do pictures for outside companies.

Next for Dix will be a yarn of early Arizona. Being written by Dudley Nichols, who has also been given a new year's contract by Radio.

## ACTRESS' BUSY DAY

Rosalind Culll Hops From Legit to Lead in Pac Film.

Hollywood, Feb. 26. Rosalind Culll, member of "Small Miracle," which played the El Capitan here, has been given a contract by Paramount and went into the femme lead of "The Glass Key," which started yesterday (Monday). Miss Culll was tested by the studio and had a contract and assignment within 24 hours. George Raft is male top in "Key."

## Colbert, Dietrich Trek East on Pleasure Trips

Hollywood, Feb. 26. Claudette Colbert leaves here tomorrow (Wednesday) for New York by boat on a two months' vacation. Returning, she goes into "The Bride Comes Home" at Fox.

Later in the week, Marlene Dietrich is also scheduled to pull out for New York.

## Benchley at Metro

Hollywood, Feb. 26. Robert Benchley reports to Metro late this week under a contract calling for both writing and acting. Plan is to use Benchley on scripts and spot him in comedy parts when ever possible.

## ELEANOR POWELL'S FLICK

Hollywood, Feb. 26. Eleanor Powell, tap dancer, comes west within the next week to report to Metro for "Broadway Melody of 1935."

Upon completion of this picture Miss Powell returns to New York for a Rodgers and Hart show.

## MISS DRAKE RESTS

Hollywood, Feb. 26. Frances Drake left here by plane Saturday (23) for New York. After a few days around the Metropolis she flies to Toronto, her home town, for a vacation.

## MAE WEST UP TO DATE

Getting Away From the Bowery Belle Stuff

Paramount is instituting a campaign to modernize Mae West. Wants to get out of bustles. Miss West's next picture, "Now I'm a Lady," is in line with this idea and Par is going to special trouble in setting up the star as a gal of the hour.

## DELAYED SAVO FILM READY MAR. 22

After a long delay, during which the fate of the Jimmy Savo picture, "Once in a Blue Moon" has hung in the balance, the film is going on release. Paramount has set the date of March 22 and will begin marketing the picture as soon as it has been shown the home office.

Ben Hecht and Charlie MacArthur, following completion of "Blue Moon" and its acceiling, a couple months ago, wanted a chance to try to fix it up and told Par it would submit it after revision. Among other things, the Hecht-MacArthur team thought it too long in its first version.

While release date has been put down and advice gone out on the picture, the doctored print of "Blue Moon" hasn't yet been shown Par distribution heads. That is expected any day now, with Par meantime committed to handling the picture.

Picture was turned out at Astoria, L. I. with cost placed at \$300,000. Hecht and MacArthur's next and third picture for Par this season, "Miracle in 49th Street," starring Noel Coward, winds up production today (Wednesday) or tomorrow.

Par contract, but nothing decided as to story so far.

## TED LEWIS' M-G TUNER, RAY BOLGER INCLUDED

Hollywood, Feb. 26. Ted Lewis and band have been signed by Metro to turn a musical picture which Lucien Hubbard will produce this summer.

Pinky Tomlin, under contract to Metro and now east, also set for this picture and Ray Bolger is also due for the cast. Later goes not come to Hollywood until June.

## BIP Gets Harrey

London, Feb. 17. British-International has engaged Lilian Harvey to star in three pictures at Elistree.

Pics will be made during the next 12 months.

## LEGITIME LANDS

Hollywood, Feb. 26. Joseph King, brought here from the east for the legit "Small Miracle" has been contracted by Warners.

## Goodbye Legit, Hello Pix

## Noel Coward Figuring on Producing on His Own in England

Somewhat distraught over the way Broadway criticized his "Point Valaine," Noel Coward may turn to films, both as to writing and producing. Closing notice is up at the Barrymore theatre, N. Y. While the name set-off of Coward, Alfred Lunt and Lynn Fontanne attracted heavy grosses during the opening weeks, attendance has been quickly dropping.

Coward insists "Valaine" is a good play, one of his best, and he wants to transplant it to celluloid in England. How Coward could get "Valaine" past the censors is quite a question. That would come after another trip

## Extra Voting on Awards Adds Donat, Davis, Beavers to List, But Expect Colbert-Gable to Cop

### My Fright Wig!

Hollywood, Feb. 26. When no one in Universal's makeup department had sufficient imagination to create a horrible enough phiz for Henry Hull as "The Werewolf of London," actor devised the lupine mask for himself which he wears in this chiller.

## AGENT-TALENT TANGLE OVER RECOVERY ISSUE

Los Angeles, Feb. 26.

"First court test as to whether an agent may recover asserted damages on an artist's earnings beyond the date of trial, under breach of contract charges, will probably be the \$4,500 suit of Leo Morrison against June Knight, set for Superior Court hearing this Thursday (28).

Morrison, Zagon and Aaron, for attorneys, are determined to bring the case to trial and say they will resist attempt of Attorney Julia C. Goldstone and John Tracy to have the hearing postponed in argument set for today (Tuesday).

Numerous controversies on the point involved have come up between agents and players, but all have previously been either withdrawn or compromised without reaching a legal verdict.

## 'Jezebel' and Chatterton

Hollywood, Feb. 26. Warners is dicker with Guthrie McClintic, New York legit producer, for the rights to "Jezebel." Studio may bring Ruth Chatterton back to the lot to play it.

"Jezebel" was produced out here on Broadway last season by Miriam Hopkins after Tallulah Bankhead had been originally cast.

## BARTLETT RETURNS

Tenor, Formerly at Fox, Back for Columbia's Grace Moore Film

Hollywood, Feb. 26. Columbia is bringing Michael Bartlett, operatic tenor, back to the Coast for its Grace Moore picture. Completed in Astoria, out here for Fox about five years ago, but according to memory he never got in front of a camera during that six months.

## Par-Options Yarn by Groucho Marx-Krasna

Hollywood, Feb. 26. Paramount has taken an option on "Grand Passion," original story by Groucho Marx and Norman Krasna. Studio's main concern is the desire of the writing pair to produce and direct the picture.

Marx-Krasna combo claim they won't sell the yarn unless assigned to multiple duties.

Hollywood, Feb. 26.

With ballots to be opened tomorrow (Wednesday) for this year's crop of Academy prize awards, indications are that the plan this year to throw the voting into a free-for-all, by allowing members to write in choices, will not affect the original nominees.

Only in two classes—for best work by actors and actresses—has there been any membership effort to bolt the formal nominations. However, the defections, it is reported, are not strong enough to push any of the three named in each of these groups out of the running.

Among the actors the preponderance of pencilled-in votes are going to Robert Donat for his performance in "Monte Cristo." In the femme group the majority of unofficial votes are divided between Bette Davis ("Human Bondage") (Louise Beavers ("Imitation of Life") and Myrna Loy for "Thin Man").

Indications are that Clark Gable and Claudette Colbert will pull such a heavy vote for their "Happened One Night" that they cannot be knocked out of top rating.

There has been scarcely any pencil voting in the other classes, members being content with the first nominations in these groups.

## WB Actors Form 'Dream' Alumni as Charity Idea

Hollywood, Feb. 26.

Joe E. Brown, James Cagney, Hugh Herbert and Dick Powell have formed a "Midsummer Night's Dream" alumni, purpose of which will be to produce the Shakespeare comedy once yearly on the Coast. Proceeds will go to charity.

Benefit is planned for Los Angeles and San Francisco, one performance in each town. Cast will be drawn as nearly as possible from the original lineup.

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## Extra Product for B'way While New Rialto Under Way; Mayer's 20 Yr. Lease

Paramount will have pictures for sale away from its own Broadway Par when work of rebuilding the present Rialto, N. Y., begins this summer or fall. They will go to the highest bidder. It is understood during the five months it is estimated by builders it will take to get the new Rialto ready for operation by Arthur Mayer.

At the same time that extra Par product becomes available Columbia, Warners' Universal and Radio will also have additional pictures to offer the market. That's because the Rialto has been used as the product of these distributors under an arrangement with the Roxy, N. Y., calling for a split between the two theatres of the Fox, Col. Radio and Rialto pictures which the Roxy rejects. The Roxy and Rialto, have been splitting these films according to which house seems best suited for the pictures available.

With the Rialto out of the way during construction part of its supply of film may go to Walter Reade who operates the Mayfair and Astor on Broadway, but it is believed the Roxy will absorb the best.

**Mayer's New Lease.**

When the new Rialto is opened, possibly around Jan. 1, Mayer will probably again have second choice Par pictures, as well as other product, the same as now.

His lease on the new house, to seat around 800, is for 20 years and calls for a guarantee against a percentage of gross as rent. House at present is paying 17% of its gross as rent and under the new deal reported that terms run close to the same figures. Recently Mayer set up a corporation, with himself as president, known as Fairway Theatre Corp. This is Mayfair spelled backward and was organized under that name when Mayer was set to take over Walter Reade's Mayfair theatre. He signed the 20-year lease as president of this company with White, Louis, Woderstock & Co., as agents for the builders, Anthony Campagne, head of Rialto Times Square, Inc.

Feature of the new Rialto will be a rotunda at the subway level with entrances from subway lines and a box-office down the street for direct entrance to the theatre. There will also be entrances on the street from both Broadway and 42nd street.

Thomas Lamb and Rosario Cambaro are the architects. The new Rialto building which will include, besides the theatre, a restaurant and shops.

## FABIAN BUYS B'KLYN PAR

St. Fabian will purchase the Brooklyn Paramount and office building from Allied Artists for \$1,500,000. Paramount's lease on the theatre remains undisturbed, as does Fabian's sub-lease as operator.

This Fabian deal with Allied removes a big obstacle in the path of Paramount's reorganization plan. Deal does not affect the plan in any way.

Hearing on the plan is scheduled for April 4, before Federal Judge A. C. Cox.

## UNFINISHED 'DREAM' COST TOPS \$1,000,000

Hollywood, Feb. 26. Warners admits that production cost to date on 'Midsummer Nights' Dream' is well over \$1,000,000, with shipping still two weeks away. As many as five units are shooting simultaneously.

## Mad's New Censor

Baltimore, Feb. 26. Governor Harry W. Nice appointed Dr. Ben F. Sandy, Balto. dentist and prominent republican, chairman of the Board of Picture Censors of Maryland.

He succeeded Bernard S. Gough, who has occupied the berth for past three years. Other two members of the board remain.

## Life in the Rah

Hollywood, Feb. 26. Collegians on the Coast have found a new way to get that fuzzy coat out of hook.

Armed with their sheepskin they invade the leading dep'ts of clothes and offer themselves as expert literary men. Impressed by the diploma, studio often tosses them a tome to take home and read with instructions and a \$5 note to draft a brief synopsis of the highlights.

Several of the lads admit this gag has kept them in smokes and fodder.

## No Verdict by R. C. Music Hall On Riv or Roxy

Rockefeller Centre execs are described as uncertain about the Music Hall's proposed program deal with United Artists, which would include indemnity to UA's Rivoli theatre on Broadway, for giving up United Artists pictures to the M. H. Neither have the Rockefeller reps come to a decision on the Roxy the Music Hall may take over either the Rivoli or the Roxy. William G. Van Schmus, head of the M. H., is still on the Coast.

Possibility of a deal under which the Rockefeller Radio City interests would acquire the Roxy, on Seventh avenue, New York, springs from a desire to control the Roxy for rejects. With the Roxy under its control, the Music Hall would increase its buying power and at the same time protect itself against the guarantees which must be given on pictures it commits itself to play.

If giving the Music Hall first choice on all its pictures, United Artists will insist that the Rockefeller people take over the Rivoli. UA would not enter a deal, it is understood, unless the Music Hall only took over operation of that house, but also assumed the lease.

At present when the Music Hall turns down a picture under its guaranteed commitment deals, and that picture then plays elsewhere, the Hall is penalized for the difference in rental picture would have been guaranteed at the M. H. and the rental it gets on the other booking.

Negotiations for a selective buy of United Artists product, at the same time protecting the Rivoli, Y. W. do not, however, have also been on by the Music Hall. Original discussion was that the Hall would indemnify the Rivoli, UA's Broadway house, in part on losses of pictures going in there which the Music Hall did not pick from the UA program, but one question which arose was whether or not the Rivoli would get rejects on other programs from which Radio City gets first pick.

On this season's deals, the Roxy has second choice on Fox, Radio, Columbia and Universal pictures as also has the Rialto, operated by Arthur Mayer.

Under its present film deals the Roxy has the best of the bargain. In the opinion of film men, except when an unusual grosser plays there. House guarantees on certain pictures vary according to the gross. When picture is weak, or moderate, house gets a break and top money gets the picture. In, however, at the low split figure (when average percentages start to figure), the distributor gets the break. Reported the house has been trying to value the split figure which varies according to deals.

## Bill Robinson's 2

Bill Robinson, now on the Coast, has been signed by Fox for two more pictures.

Y. W. do another with Shirley Temple, with whom he worked in 'Little Colonel', and the second will be with Will Rogers.

## Clayton Sheehan Sails

Clayton Sheehan, foreign manager for Fox, sails for Europe today (Wednesday) on his regular semi-annual trip to foreign countries. Sheehan will be away about two months.

## RESIST KATZ'S CLAIM OF \$265,000

Paramount trustees are prepared to battle against any allowances under executive contracts which holders, dropped from Par, claim were breached. Those under which settlements were agreed upon, such as with S. R. Kent and Jesse L. Lasky, before the trustees came in, will probably be compromised.

Sam Katz put in a claim for \$265,000, based upon sales of his under an unexpired contract and the trustees have objected to any allowance on it. A hearing on the matter before Referee John E. Joyce in New York is not expected until after March 1. Katz is now in Hollywood, but is represented in the last by counsel.

## RKO, Loew Take Denver Orpheum for \$410,000; Will Operate Jointly

Denver, Feb. 26. RKO and Loew's have taken over the Orpheum theatre here for \$410,000. Understood the price is \$410,000 with the bankroll supplied by both RKO and Loew.

Theatre will be operated jointly by both companies. For product in work yesterday, Metro-Goldwyn and United Artists flickers.

## STUDIO RUSH TO BEAT MARCH 1 TAX BITE

Hollywood, Feb. 26. Metro and Universal are near a production standoff to beat state tax bite on exposed film on hand March 1. Metro has only one film in work yesterday (Monday), but will start four the day after the deadline.

One serial and feature are in production at Universal. Others are rushing through as many completed pictures as possible to denude vaults of unreleased product.

Return date of Federal income taxes, March 15, is causing a general tightening of purse strings. There's little spending on luxuries, so players can have coin ready for revenuers. Nights spots are feeling the pinch.

## Dave Butler Sustaining

Hollywood, Feb. 26. David Butler, for five years a Fox director, has been handed a contract for three more.

## Schaefer Now Par Prez Possibility As Maneuvers Continue for Control

In the latest moves concerning Paramount reorganization there is a possibility that George Schaefer may become president. Charles E. Richardson is now mentioned as chairman of the board committee, although as recently as last week was mentioned as a presidential candidate.

The Schaefer move is said to be sponsored by Gerald Brooks and the stockholders' committee. Richardson is a former trustee of Paramount.

As observers view the situation, the reorganization forces themselves are pretty much confused as to the possible ultimate shape the company directorial setup may take.

Some even question the chances of Frank Vanderlip becoming chair-

## 'FRANKIE-JOHNNY' OKAYED

New Script Passes and Sael Recruiting Cast—Eastern Production

Receiving an okay from the Haye office of 'Frankie and Johnny,' Bill Sael left for Miami last Thursday (21) to talk to Helen Morgan concerning remake of the picture, Miss Morgan to play the same part as in the shelved version.

Reported Sael was set on getting Chester Morris to come on from the Coast for the second try on this story. Morris was in the first version, when submitted for United Artists release.

Sael has had a new script turned out to get around Haye's office objections. Lou Goldberg did his job, and when submitted the past week year was approved. Sael plans producing the picture in the east.

The original cast also included the late Lilyan Tashman.

## High Pricers at Metro Go Under Shaving Board

Hollywood, Feb. 26.

To better control the engaging of high-priced talent at Metro, a nameless board has been organized comprised of J. B. Weaver, Irving Thalberg, Dave Selznick, Eddie Mannix and Benny Thau. Group will pass on all important writers, directors, actors and executives being engaged by the company.

Thau will act as front man for the board and will handle preparatory details before any signing. These execs will also act on optional removal of talent already contracted.

Combination will meet twice weekly and will take into consideration reports from all executives on the lot regarding their talent requirements. Board will then act on the engaging of the talent, with Thau doing the actual contact work.

This system is expected to cut down manner of supervisors and department heads engaging their personnel, a system which has caused considerable duplication of talent. Only people to be engaged by the department heads will be in the lower salary brackets.

## 5 WB TUNERS IN 3 MONTHS

Hollywood, Feb. 26.

Warner lot still rates tops as to number of filmsicals on the production schedule. Company currently has five of these pictures in various stages of preparation for shooting within the next three months.

Group includes 'London, New York and Paris' Joseph S. Sanley, 'Mollie and Me,' slated as a starer for Joe E. Brown; a Dick Powell picture, 'Broadway Gondolier,' and a successor to 'Flirtation Walk.' Latter will have an Annapolis background.

## MORROS' MOVE WAITS ON STUDIO

Boris Morros, who's been staying east as managing director of the N. Y. Paramount, and as head of stage bookings, leaves now for the Coast to assume an official spot at the studio as soon as the Par heads make up their minds. No date yet for his departure. So far neither the date nor duties of Morros have been set.

It is Adolph Zukor's idea to shift Morros to the studio. Originally it was for a production apprenticeship of six months on the Coast, so that Morros, with a foreign background and speaking several languages fluently, should take over producing reins abroad. Since then Zukor's plans for him are reported switched, with Morros to form the third side of a producing triangle in Hollywood, where studio is now under joint control of Henry Hazbrun and Ernst Lubitsch.

## M-G's \$1,500,000

## For Takeover of 'Ziegfeld' from U

Hollywood, Feb. 26. Deal for Metro to take 'Great Ziegfeld' off the studio. Originally it was for a production apprenticeship of six months on the Coast, so that Morros, with a foreign background and speaking several languages fluently, should take over producing reins abroad. Since then Zukor's plans for him are reported switched, with Morros to form the third side of a producing triangle in Hollywood, where studio is now under joint control of Henry Hazbrun and Ernst Lubitsch.

If transfer is effected William Anshutz, Metro's head of production, Edie Sutherland, director and cast selected will all go over to Metro. Those in picture have been notified to report to Metro March 5.

McClure, Bill Burke, who own interest in the picture, are sitting in on conferences. William Powell will be retained for lead and Metro is planning to spend \$1,500,000 on picture.

## HAYS MAY LIFT BAN ON B&D'S 'NELL GWYN'

'Nell Gwyn,' British made film on the United Artists' sales shelf for about six months, may yet be released in this country. Capt. Richard Norton, British & Dominions executive from London, is in New York conferring with the Haye's office.

Produced for B. & D. last spring by Herbert Wilton, picture ran against a cold shoulder from the Haye's office, and UA has since held up sale and distribution. Story was filmed once before in London as a silent, but with William Powell, and because of that B. & D. has been particularly anxious to clear the way for the talker version.

Capt. Norton came over for this reason only, and will remain no longer than two weeks, under plans. He expects, however, to return here in May, when he will also visit the Coast.

## LUBITSCH ON OLD PACT, NEW ONE DUE IN APRIL

Hollywood, Feb. 26.

Though sitting in the production chair at Paramount, Ernst Lubitsch is still working on his directorial contract, which has until April to run.

Renatification of his production contract is expected at that time.

## Balcon's Trip

Michael Balcon, production chief for Gaumont-British, leaves for Hollywood this Friday (21) on a month's talent hunt. Will talk to stars and directors about scripts he is taking along for their approval.

Balcon has made up his mind to make two or three annual trips from London to Hollywood.



# MITO FIGHTS GAG RULE

## PAR BUILDING 4,000-SEATER IN LONDON

London, Feb. 26. Former Shoolbred store site in Tottenham Court Road has been acquired by Paramount for the erection of a 4,000-seater. It's the first theatre building for Par in some years and the first house out of the U. S. to be contemplated by any American film company, with the exception of a couple by Metro in Australia, in about five years.

Paramount will erect the new house in conjunction with Arthur Segal, who has a piece of most Paramount theatre ventures here. Plans have been obtained by the London County Council and construction is to start immediately.

House is to have a double feature policy plus a big stage show at top prices.

Project, understood involving about \$2,000,000, will be financed by the Prudential Assurance Co., which gets a first mortgage.

## Expect Decision by Gov't on Probe Into Bill Fox Tax Matters

Washington, Feb. 26. Government is expected to decide within the next two weeks whether or not it will proceed to prosecute alleged tax claims against William Fox. U. S. Treasury agents are reported to have been in New York gathering names of possible witnesses and data in the event suit is brought.

Believed that any government inquiry on Fox might go back as far as 1913, mostly concerning his building and acquisition of theatres.

## EXPECT EXHIB-AD MEN SESSION WILL BE HOT

New Orleans, Feb. 26. Heavy squawks are expected tomorrow afternoon (Wednesday) when exhibs get together with publicity advertising directors of the majors attending the MPTOA convention here.

Delegates are reported warning up for a battle against press books and exploitation campaigns which they assert do with press books, requirements, and especially those of the small-town exhibs.

Exhibitor leaders believe the distributors go through much waste motion in press books, some citing fancy press books with an idea of no practical use to many accounts. Also cited is that distributors are just throwing away a lot of money on press books and other exploitation matter.

Session with ad men promises to be hot—with latter also having their ideas. Most of the ad boys claim the exhibitors too often do not try to do anything with press books, exploitation campaigns, etc. Home office advertising heads here so far include Charlie Einfield (WB), Charlie McCarthy (Fox) and Bob Gillman (Par), latter coming in from Florida vacation.

The minute Einfield got here he arranged for a world premiere at the Saeuger here Friday (1) of "Goldiggers of 1935," seven weeks in advance of release date.

## Dietz East-South

Hollywood, Feb. 26. Winding up a two weeks production conference at the studio here, Dietz Metro publicity head, flew east Sunday (24). After a day in N. Y. he was to plane to New Orleans for the M.P.T.O.A. convention.

## Diplomacy

New Orleans, Feb. 26. Improbable now that Huey Long will look in on the MPTOA convention as planned. He has left for Baton Rouge and is reported calling on the special legislative session there which would make it impossible for him to be here.

Ed Kuykendall, recently in Washington, invited the Kingfish to address the convention, then suggestion was made to get Mayor Wainwright, of New Orleans, who is no pal of Huey's.

As a compromise Theodore Simmons, of the local Association of Commerce will give the address of welcome.

## BELIEVE FED'L INQUIRY HAS STARTED

Belief in the trade is that a Federal inquiry into films has already started under cover. Talk is that two or three important picture people have been interviewed by Washington authorities preparatory to a formal investigation.

Unofficial quotations are that a few execs have been quietly commuting between Washington and New York. Attempts to induce the Government to assist in its expected inquiry are understood to have been met with courteous rebuffs.

## PA, N.J., DEL. DELEGATES FOR INDIE PRODUCERS

Philadelphia, Feb. 26. MPTOA delegates of Eastern Pennsylvania, Southern New Jersey and Delaware, carried to the national convention at New Orleans a plea for the independent producer and exchange man. Slogan was 'one thousand new dates for the independents during the year; and general MPTOA support was sought for this program.

Local MPTOA was represented officially by Lewen Pizor, president, who went to New Orleans from Florida where he has been vacationing and George Aarons. Other local exhibitors in attendance were George Kline, Jay Emanuel, Charles Segall, Al Fisher and Mike Engel. Pizor's contention was that the build-up of the independent exhibitor forms an insurance for the indie exhibitor in that it provides him with sufficient product to maintain his program. Also that practical support will enable indie producers to better their pictures.

## Cornford III

M. E. Cornford, stricken ill over the week-end in a Washington hotel, was reported much improved yesterday (Monday), but was unable to attend the New Orleans convention. Frank Walker, notified of his father-in-law's illness on Saturday flew to Washington. As a result, Walker will not attend the N. O. session, either.

## Par's Agnew in N. O.

With press of reorganization matters making it impossible for George C. Schaefer to attend the MPTOA convention in New Orleans, Neill Agnew, Par's general sales manager, went down to represent this company. He left Saturday night (23).

Schaefer, returning east with Adolph Zukor, reached New York Monday (25).

## WANT ALL ISSUES BROUGHT OPEN

**Oppose Only Nat'l Matters  
Being Argued on Convention  
Floor—Drive for  
20% or 30% Cancellation  
and Want Code Amend-  
ments on Play Dates—  
Five Special Trains Bring  
About 800**

## OPPOSE CODE

By ROY CHARTIER

New Orleans, Feb. 26. Ed Kuykendall, this afternoon (Tuesday) denied any intimation of gag rule at the MPTOA convention, then proceeded to declare a one-hour open forum daily at which attending exhibs can voice all complaints and bring up any subject they may desire to discuss.

New Orleans, Feb. 26. Gag rule against open discussion of all exhibitor problems, National and local, will be bitterly opposed at the MPTOA convention here. This became evident at board of directors meeting last night (Monday) when effort of Ed Kuykendall to rule that only national issues be brought out on floor, leaving all local and regional matters to be decided in committee, was stymied.

Board adjourned after naming officers for ensuing year. Effort to fight against gag rule, will probably be led by Jack Miller and Jules Michel with strong support behind them. Miller, Chicago exhibitor leader, is expected to demand open discussion on all exhibition problems, and promise is that there will be plenty of fireworks if Kuykendall, or anyone else, opposes the idea. At yesterday's board session, demand was made that Kuykendall set a date, not later than tomorrow (Wednesday) when exhibitor discussions would be permitted, instead of waiting until the final day of the convention (Thursday). The San Francisco delegation, with the possible exception of Morgan Walsh, president of the California MPTOA group, is reported in line for demand for discussion.

Zoning came up for brief discussion before directors when Jules Michel, Buffalo exhib, touched on the matter. Michel nurses a grievance because John Pilling got to withdraw the proposed pricing zoning schedule for Buffalo on the ground that it wasn't practical, only to see Los Angeles give its pricing zoning plan.

## Officers Re-elected

All officers and directors of the MPTOA were re-elected last night with the exception of Fred Meyers, of Milwaukee, who resigned as secretary. Morris Lowenstein, of Oklahoma City, was chosen to succeed Meyers. Officers re-elected were Ed. Kuykendall, president; Mike Cornford—W. S. Butterfield, Morris Lightman, Ben Bernstein, Julian Brynawick, vice-presidents; Walter Vinson, treasurer, and Edward Levy, general counsel. Fred Wehrenberg, of St. Louis, was re-elected chairman of the board with all directors re-elected for another year including John Pilling, William Benson, Bernstein, Joseph Bernard, Ed. Fay, Frank Freeman, George Gies, O. C. Lam, Lowenstein, Sidney Lust, Jules Michel, Jack Miller, Charles Piquet, Benjamin Pitt, Lewen Pizor, William Quigley, Ed. Schiller, Major Leslie Thompson, Judge Roy Walker, Morgan Walsh, (Continued on page 65)

## Kent Delayed

New Orleans, Feb. 26. Sid Kent, Fox president, who was due in today (Tuesday) from Florida, and scheduled to address the MPTOA convention tomorrow, is reported unable to get here.

## Kuykendall, in Convention Speech, Favors Block Booking, Defends Code

New Orleans, Feb. 26. Ed Kuykendall, president of the MPTOA, in a lengthy address this afternoon (Tuesday) to conventioners went into some detail on exhibitor problems, but defended rather than attacked the picture code.

Kuykendall went on record against the present cancellation privileges of 10%, declaring for around 20%. And said he is ready to demand action.

A 20% cancellation privilege in contracts, in Kuykendall's opinion, would relieve many exhibitors and give them a chance to operate at a profit, he declared, whereas they are now suffering losses on objectionable pictures. He claims that the 10% cancellation right may be acceptable in some cases, and that it would have been helpful had the distributor played fair.

Kuykendall also blames the distributors for troubles under the percentage system of selling pictures, claiming most distributors have gone beyond reason on terms. The MPTOA had believed exhibs should not buy on percentage when they can't get together with a distributor on a flat deal, but that the distrib should not kill a theoretical chance by acting aside certain pictures for high percentage brackets.

In his speech Kuykendall also declared against the score charge and the shorts that have to be taken. It is the chiseling tactics of the producer as to percentages and score charges that does more than all other things to foster the ill will that prevails in many instances between exhibitor and distributor. He added, Kuykendall also attacked the American Society of Composers, Authors and Publishers on the music tax and asked how far will the present copyright laws permit them to go in charging for the use of music. Kuykendall stated the MPTOA is interested in having the proper authorities given the legal right to say how much per seat can be charged, and in an amendment to the copyright laws which will protect innocent infringers against the arbitrary \$250 penalty per performer. He believes this should be a matter for the courts to decide and that ASCAP should be controlled fairly. Kuykendall pointed out that exhibitors are not particularly interested in dissolving ASCAP.

Like L. A. Setup in the necessity, for fair clearance and zoning, according to its president, exhibitors are not developing proper and fair setting up of geographical zones, and acceptance of the theory of film rental paid and admission charged in working out clearance. Kuykendall believes that the Los Angeles schedule, in which admissions were made a part, is a step in the right direction.

The MPTOA continues to stand squarely against bank nights, premiums and similar forms of exploitation. Kuykendall stated that there are many theatre owners who contend that bank nights should be put under the same category as premiums.

## Block Booking

One of the surprises was Kuykendall's declaration in favor of block booking because it is "the only economical method by which we can buy pictures, especially for those exhibitors who cannot be within easy reach of the exchange for screening." But he opposes dual bills. He claims double billing promotes the production of cheaper pictures, among other things. Kuykendall believes that the independent producer should be encouraged and that duals also permit the exhibitor with strong buying power to book the "hot" in some zones, leaving other exhibs without any pictures. Kuykendall is convinced that several of the majors are turning out pictures at a low cost for showing on duals.

## On the Code

Kuykendall had considerable to say about the code which indies are

planning to attack before the convention is over. On ticklish ground, he had the following to tell the conventioners:

"I am not here to defend the code authority. It needs no defense though it has made mistakes, and in my judgment will continue to make mistakes while working to correct the many evils of this industry. Because the code authority has no precedent to work upon; we were ordered by the government to establish fair trade practices in this industry. We were told there were certain things we could and could not do. Then came those hectic days in Washington where we fought over this, that and the other provision. The code was written. It is the law for this industry to operate under and I believe it will continue to be the law for sometime to come.

## 'Good Business'

"Is it good business to try and make the best of it? I say yes, and there are provisions in it that I do not like. It could be improved and I think we should see to it that certain changes are made in it. But no matter how we change it, certain things will oppose it if it fails to agree with their own personal interests. If we give something to one interest, we must necessarily take from another. Probably one of this convention will come a definite plan for the changes we should support as an organization. I hope so, and I hope they will be sane and reasonable and without radicalism. As it is, the code gives you a place to go. If you are aggrieved, you have a jury of men in the same business to judge the justice of your complaint. You didn't have this before. Not a sane man or woman in this industry will deny that to make progress we within the industry must work out our problems. Outsiders cannot do it. They know nothing of the peculiar mechanics of this industry and our industry has the most complicated problems of any I have seen. I am sure that I have studied many of them through connection with the NRA advisory boards. So the code has at least given us a chance at self regulation. It is up to us to control that regulation so that it will be fair and impartial to all; but again I remind you that in an impartial decision, the loser will not be happy and many will find fault with the decision, which in many instances prevailed long before the code was born, on the code. And those individuals and organizations who continue to condemn the code wholesale; for one reason or another, are the very ones that ran out in Washington long before the code was written. They condemned and sent out scare telegrams to cast my vote for what before they knew what would be in the code. They are the same so-called exhibitor leaders that advised exhibitors to pay no attention to the President's blanket code book in the early days of the NRA; and they are still yelping.

"However, there are others who are coming along justly. The natural setup has discriminated against them, they must be relieved. I say to you in all sincerity I have tried my level best as a member of the code authority to cast my vote for what was right, regardless of who was concerned, exhibitor or distributor. And I know that if we have the sincere wholehearted support of the industry, the code will be a fine instrument to bring order and understanding out of chaos, because the administrator who represents the government on the code authority, William Farnsworth, is determined to see that justice prevails."

"It is needless for me to say that (Continued on page 64)

Diversity in prices paid for film yarns is illustrated by Fox in its recent Gaynor pictures.—Current release, 'One More Spring,' from the novel by Robert Nathan, cost Fox \$2,500. Next picture for Miss Gaynor will be 'Farmer Takes a Wife' (legit play), for which Fox paid \$65,000.

# Minn. Board Says 1,000-Seater Doesn't Rate Clearance Edge Over 600-Seater

Minneapolis, Feb. 26. A 1,000 seat theatre is not entitled to clearance preference over a 600-seat house, according to a decision charging the same admission, even though the former pays considerably more in film rental to exchanges, according to a unanimous ruling of the local zoning and clearance board.

In deciding in favor of the St. Paul Independent Grandview theatre, against the Public uptown, also a St. Paul nabe, and in holding that the Grandview is entitled to play pictures day and date with the Uptown, the board denied the Public contention that its theatre's physical superiority and greater rental payments justify the distinction. The board said it has had Local exhibitors are hailing the decision as the death knell of the 'unfair clearance advantage' which they allege that Public has been demanding and receiving for its theatres over independent houses. Public, however, immediately served notice of appeal.

George Granström, operator of the Grandview, testified that prior to the current season his house obtained pictures day and date with the Uptown.

## DEMANDS 2 MEMBERS QUIT MINN. Z-C BOARD

Minneapolis, Feb. 26. J. B. Clinton, member of the local zoning and clearance board, also president of the recently organized Independent Theatre Association, yesterday (Monday) formally demanded that two other members, Ben Marcus, Columbia exchange manager, and E. A. Rolfe, well-known indie exhibitor, resign because of alleged malfeasance in office, inefficiency and neglect of duty.

When the members refused to accede to his demand, Rolfe called upon Mrs. Mabel Dietz, secretary, to forward his demand for their removal to the Code Authority.

Clinton contends that the members were guilty of malfeasance because they permitted "A. M. Baer, of Demidji, to sit upon the trial board hearing the complaint of his Duluth Doric theatre against the Public circuit. Clinton alleged an unreasonable protection in favor of the latter's houses and against his own, and that Baer sat as an unofficial subsequent run exhibitor when, as a matter of fact, he is operating a first-run theatre.

Marcus pointed out that at the time of the hearing, which resulted in a decision against Clinton, the Code Authority itself had ruled that Baer was a subsequent run exhibitor. Since that time, however, the Authority has changed its interpretation and appointed another member in Baer's place.

Clinton is appealing from the adverse decision and has been granted a new hearing.

## RADIO SHORT 4 OF TOTAL 50 ON PROGRAM

Radio will not deliver the total 50 pictures which it scheduled for the current (1934-'35) season. According to Ned Depinet, following his return from the Coast last week 21 pictures will be on release the end of this month and there will be 25 more, or a season's total of 46.

Some plans for the coming season do not contemplate speeding up of production, program again to call for a probable maximum of 50. However, if outside producers come along with some product, Radio may set as distributor for a greater number than 50 during the coming year, firm's sales head indicates. At present Pioneer is using the Pathe studio and Merian C. Cooper will produce at Fox-Art's plant on the Coast, which has been rented by Radio due to lack of room at the Gower street studio. Pictures from Pioneer and Cooper are included in the 46 total on the current film year.

No rearrangement of product and plans, declared Depinet. One decision reached on the Coast was to return Katherine Hepburn to stories in modern American girl in two pictures.

## Thomson in Kinney Spot as Extras Head

Hollywood, Feb. 26. Kenneth Thomson, executive secretary of the Screen Actors Guild, has been named temporary chairman of the Standing Committee on Extras following resignation of Mrs. Mabel Kinney, who remains on the committee. Latter is also chief of studio industrial welfare.

Code Authority will also make new appointments for important extra reorganization and complaint and grievance subcommittees, as Mrs. Kinney also has chaired them.

## Fed Action on Exhib Code Breach in L. A. Waits New Evidence

Los Angeles, Feb. 26. Gathering of further evidence of code violations and loopholes has retarded federal action being filed against the film rules of practice by the Independent Theatre Owners of Southern California, according to a statement issued by that body.

During the past week the ITO has threatened to go to the high courts to correct film practices which it considers in violation of the code. Claim is that no corrective steps have been taken.

Latest complaint by the Indies is that distributors are forcing shorts on exhibitors, and in declaring this a code violation they have mailed letters to distributors, exchange managers, Administrator Sol Rosenblatt, the Department of Justice and John C. Flynn, Code Authority executive sec.

## CUMMINGS DRAFTED TO CLEAN UP M-G'S SHORTS

Hollywood, Feb. 26. Production responsibility for the short subjects on the Metro lot has been dropped into the lap of Jack Cummings. Latter is lining up remaining pictures of the 1934-'35 program to shoot them through within the next six weeks.

Cummings, recently promoted to an associate producer spot at Metro after supervising the short under Harry Rapf, was drafted to clean up the rest of the program as Rapf will be away from the studio for about two months recuperating from his recent illness.

## MINORS CONNECT Film Juves Launched On Careers as Careers Legally Sealed

Los Angeles, Feb. 26. Superior Court last week gave its legal blessing to four minors' contracts with studios.

Jackie Sear's pact with Fox was cemented, 13-year-old player being assured \$2,500 for one pic to be launched next month; \$2,500 each for a second trio of pictures, if optioned, and \$3,000 to \$3,500 for a third trio, or options.

Fox also had its contract with Margaret Livingston, 16, approved, option giving the juve \$200 per week for six months, then graduating to \$700.

Maxine Reiner, 15, gets \$50 a week for six months from Paramount.

Universal pays Celeste Edwards, 15, \$75 per week for six months.

Verna Hillie, 16, is assured of \$100 per week from Columbia as a starlet.

## 'Shark Island' Set by Zanuck for Late Start

Hollywood, Feb. 26. Darryl Zanuck has set 'Shark Island' as one of the first for the 1935-'36 season which he produces for 20th Century.

Film play, being written by Nunnally Johnson, is based on the novel 'Life of Dr. Mull' written by the doctor's daughter.

**As You Were!**

Hollywood, Feb. 26. Taken out of the fledgling class, now that he has had two pictures under his belt, Mack 'Killer' Gray, draws a role familiar to him—that of bodyguard to George Raft in Paramount's 'The Glass Key.' That's been his stint since he hit town and even after Theoplis claimed him.

## ACAD TIFFS WITH CODE ON PAY TO LIP MOVERS

Hollywood, Feb. 26. First tangle between Academy and the film code looms over minimum payment to players on minimum lines. With Academy's free-lance 'new deal' becoming effective March 1, day player rules embodying a \$15 daily minimum don't jibe with the \$25 minimum clause in code extra provisions.

Latter item has been bone of contention with the 'Extra Standing Committee. Problem dates back to omission of words 'per day' in original code draft covering minimum payment. Four attempts at rewording have been nixed by the Code Authority. Employee reps on the committee, headed by Guilders, have insisted that the minimum be set at a minimum of \$25 per day for any player speaking lines in pictures.

Part of the Guild's opposition to the Academy's actor 'new deal' will center on the \$15 a day player step up through code machinery.

## WASH. REFUNDS \$82,000 IN TAXES TO LASKYS

Washington, Feb. 26. Internal Revenue Bureau last week granted claims of overassessment of income taxes involving \$82,149 to Bessie and Jesse Lasky.

Director had his 1930 obligation to the government allowed \$47,897 while his wife received an abatement of \$26,679, a credit of \$6,461 and a refund of \$2,101.

## For French Novel

Hollywood, Feb. 26. Film rights to 'We Are Three,' French novel by Marcel Thibault, acquired by Carl Laemmle Jr., Producer will make the picture as the fourth of his personally produced string of Universal.

Young Laemmle bought the rights from Sam Wood for reported price of \$25,000. Wood acquired the property during his trip to Europe last summer.

## Sam Morris South

Getting started before winter is over, Sam Morris, Warner vice president, left for Florida last week on his annual vacation.

Expected back in about two weeks.

## C. A. OK's Coast Code Submitted By L. A. Board; April 30 Deadline

Film Code Authority, sitting in New York last week, approved the Los Angeles zoning and clearance code, with a few slight modifications, as submitted by the L. A. local board. John C. Flynn, C. A. secretary, submitted the document which he had gone over in detail with the Los Angeles board during his recent visit to the Coast.

Official copy of this code will be out sometime this week and will be effective not later than April 30, excepting for Long Beach and Pasadena. It can be placed in effect prior to that April date if the L. A. board sees fit.

Action is expected on the registered extras list from Los Angeles at the meeting of the Code Authority tomorrow (Thursday). A committee of the L. A. registered extras committee was received by Flynn last week but too late for action at that confab.

Inclosed with the letter from the Coast was a list of 1,064 names of registered extras in Hollywood. Provision has been made for the

# Film Men Turn Out at Albany For 3 Bills on Taxes-Censorship

## Postpone 1st Review

Washington, Feb. 26. First slated review by the NRA Industrial Appeals Board of action by the film codists was postponed last week until March 21.

Appeal is from decision of the New York Clearance and Zoning board in complaint brought against two Warner houses in New Jersey by the Broadwood Holding Co., operator of the Elwood theatre, Newark.

## Minn. Exhibs Appeal On 'Anti-Bank Nite' Decisions to C. A.

Minneapolis, Feb. 26. Interests behind 'bank night' in the territory are combatting the local grievance board's efforts to banish it. Appeals already have been taken to the Code Authority from three of the local board's orders to exhibitors to cease and desist from continuing the practice. In each instance it is alleged that 'bank night' entails a fight to put the exhibitor back on his feet.

Appealing from the cease and desist orders issued after hearing of the public circuit's complaints, the St. Paul Strand and Garrick, large loop grind houses, also contend that no competitive situation exists between them and Public loop theatres because of the lengthy clearance granted the latter and the difference in type of patronage.

Public is proceeding against a number of other opposition independent theatres using 'bank night' in what latter calls a fight to put the show business in the Northwest 'back on a sound and legitimate basis.' The rapid and widespread use of 'bank night' and other such schemes by independent exhibitors prompted its action, according to John J. Friedl, general manager of the chain.

Other 'bank night' cases being appealed involves two Crookston, Minn., indies.

## KAUFMAN TOTES BLACK BOOK AFTER MARCH 4

Hollywood, Feb. 26. Albert Kaufman assumes general management of the Selznick-Royce agency March 4. Former assistant to Emanuel Cohen, and with Paramount for 20 years, expects to clean up studio business by that time.

Kaufman resigned as vice to Cohen when latter quit and went to work as an associate producer, but left before receiving an assignment. Kaufman is a brother-in-law of Adolph Zukor.

Albany, Feb. 26. Film theatre owners and representatives of the producers, including C. C. Pettijohn of the Hays office, jammed a hearing room at the Capitol this afternoon (Tuesday) at a discussion of three bills imposing taxes on the revising the state censorship law. The hearing was before the Senate committee on public education. All the bills were introduced by Senator John T. McCune (D-N.Y.).

Most stringent of the proposals would amend the tax law in relation to imposing a tax on the privilege of exhibiting films. It would require registration of exhibitors, who would be required to pay a fee of \$50 for each seat in a theatre and also require the posting of a bond of \$20,000. The registration would be for one year and may be renewed on payment of a like fee and filing of a similar bond. For example, the fee for a house seating 2,000 would amount to \$100,000 annually.

Every exhibitor registering would have to publish a notice of registration twice in the state's bulletin and once a week for three successive weeks in a daily or weekly newspaper in the place where the theatre is located.

This same bill also imposes upon the exhibitor a tax of 10c per 100 feet of film shown, payable monthly. Each delinquent taxpayer would be subject to a penalty of \$20 a day for failing to pay the tax. Any person failing to comply with the provisions of the bill would be guilty of a misdemeanor. Making of a willfully false statement in a tax return, which resulted in a loss of revenue to the state, would subject the exhibitor to a misdemeanor charge and a civil penalty of \$500 to be sued for and recovered by the attorney general. The proposed law, if enacted, would take effect July 1, 1935.

McCune also is asking for revision of the film censorship law in two bills. One would collect a fee of \$10 from each applicant for each picture of advertising matter used in a theatre. Actually, an exhibitor could not display photos, posters or any type of advertising unless it bore the stamped approval of the censorship division. Any violation would be a misdemeanor and result in revocation of a license to show the picture for which the advertising is used.

The censorship division likewise (Continued on page 70)

## JACK LEWIS OUT IN HAYS COAST SHAKEUP

Hollywood, Feb. 26. With the arrival here yesterday (Monday) of J. J. McCarthy, control of the publicity department of the local Hays office passes from the hands of Breen's jurisdiction to the home office.

Jack Lewis, who has been handling the work at this end, resigned Saturday (23); but no successor has yet been appointed.

Possibility is that Lupton Wilkinson, who accompanied McCarthy here from New York, will take over the job.

## SEYMOUR RESIGNS AS PRODUCER AT WARNERS

Hollywood, Feb. 26. James Seymour, associate producer at Warner Brothers, resigned Saturday (23).

He will make a belated three-week honeymoon with his bride, Joelyn Lee.

Seymour was boosted to producer 18 months ago from a writer's berth on the WB lot.

## Groom Constance Collier For Dressler Pix at MG

Hollywood, Feb. 26. Metro is grooming Constance Collier to star in several stories bought and prepared for the late Marie Dressler.

First picture will probably be 'Tish,' giving Thaberg producing.









**Boston Sizzling; 'Music' and Mitzi**  
**\$34,000, 'Fairy' \$20,000, Par \$9,000**

Hollywood, Feb. 28.

Columbia has propositioned Alice Brady for 'A Feather in Her Hat.'

Picture will be the first producer-director assignment for Dorothy Arzner.

Robinson fans and a lot more will go here backed by a good exploitation drive. \$7,500. Last week 'Girna' (Col.) \$2,200.

'Strand (Wilby) (800; 25) - 'Rocky Mountain Mystery' (Par), average \$1,800. Last week 'Peck's Bad Boy' (Fox) and 'Looty-Lover' (Fox) last week \$1,500.



**Life of Don Juan** (UA) and **'The Runaway Queen'** (UA) going strong at this house and will gross at least \$8,000, very good. Last week **'Broadway Bill'** (Col) and **'Among the Missing'** (Col) 2d week. Held up well at \$7,000.

**Cinema de Paris** (France-Film) (600; 50)—**'Le Bossu.'** Average pic gross for \$2,500.—Last week repeat of **'Un Homme en Or,'** nice gross of \$2,000.





TOPS 'EM ALL



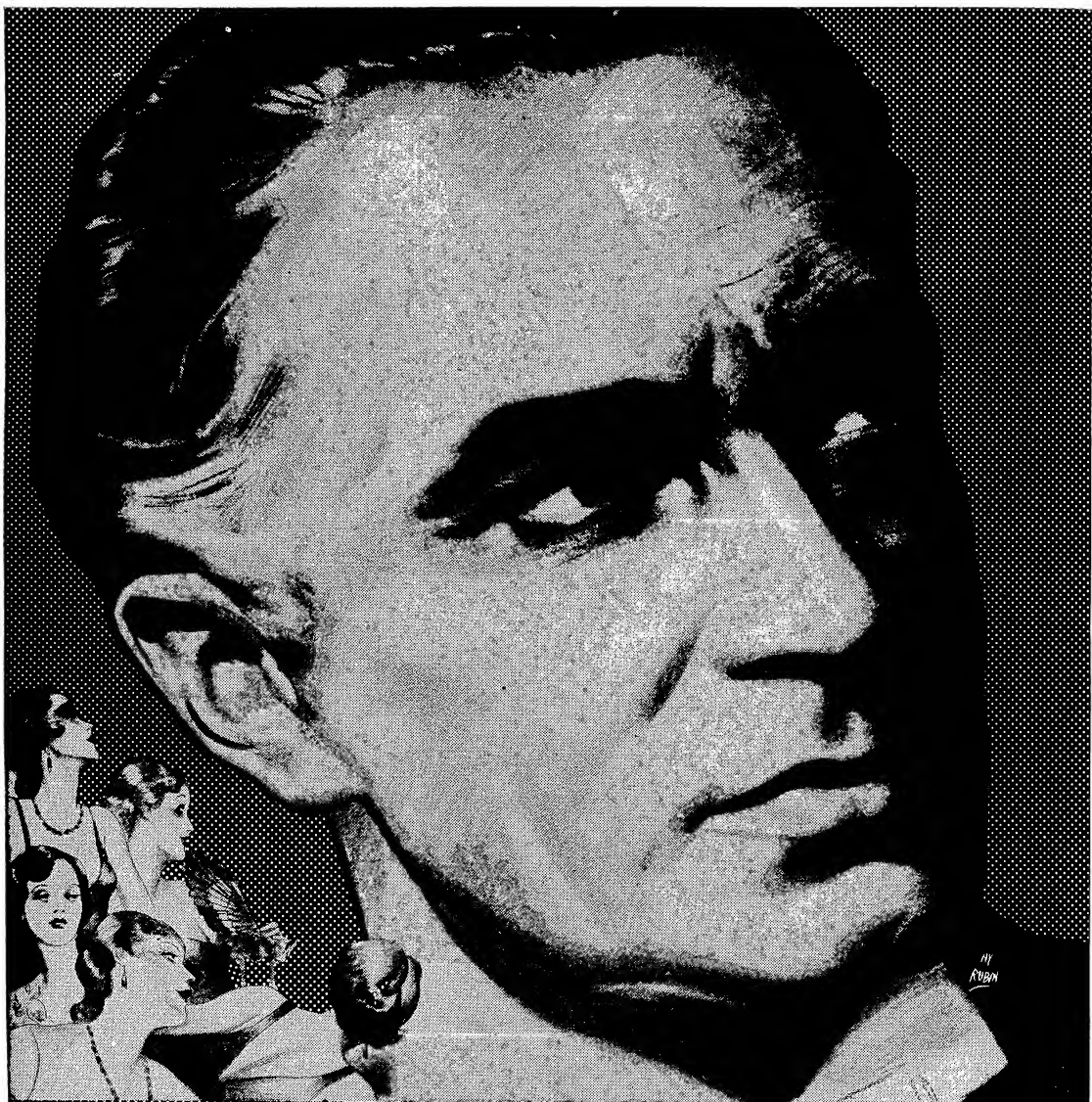
PUBLIC ENEMY No. 1 . . .  
OF ALL THE WORLD

*The* **MAN WHO KNEW TOO MUCH**

NOVA PILBEAM • PETER LORRE • EDNA BEST • LESLIE BANKS

THE ARCH CRIMINAL...OF  
ALL CRIME...OF ALL TIME





TOPS 'EM ALL



# CONRAD VEIDT

*(Title Later)*

**WOMEN FIGHT FOR CONRAD VEIDT  
... THE MAN'S MAN ...  
THE PERFECT LADIES' MAN ...**



TOPS 'EM ALL



# JAN KIEPURA

THE GREATEST SINGER IN THE WORLD . . . IN  
THE TWO BEST MUSICALS EVER PRODUCED . . .

"MY HEART IS CALLING"  
"MY SONG FOR YOU"



TOPS 'EM ALL



THE GREATEST COMEDY FIND SINCE CHAPLIN.

*Jack* **HULBERT**

IN  
**THE CAMELS ARE COMING**

EVEN THE SPHINX WINKS AT THE HIGH JINKS

... A HAREM-SCARE'EM AVIATOR DETECTIVE

IN SAHARA HAREMS ... HOT CHA CHA ...





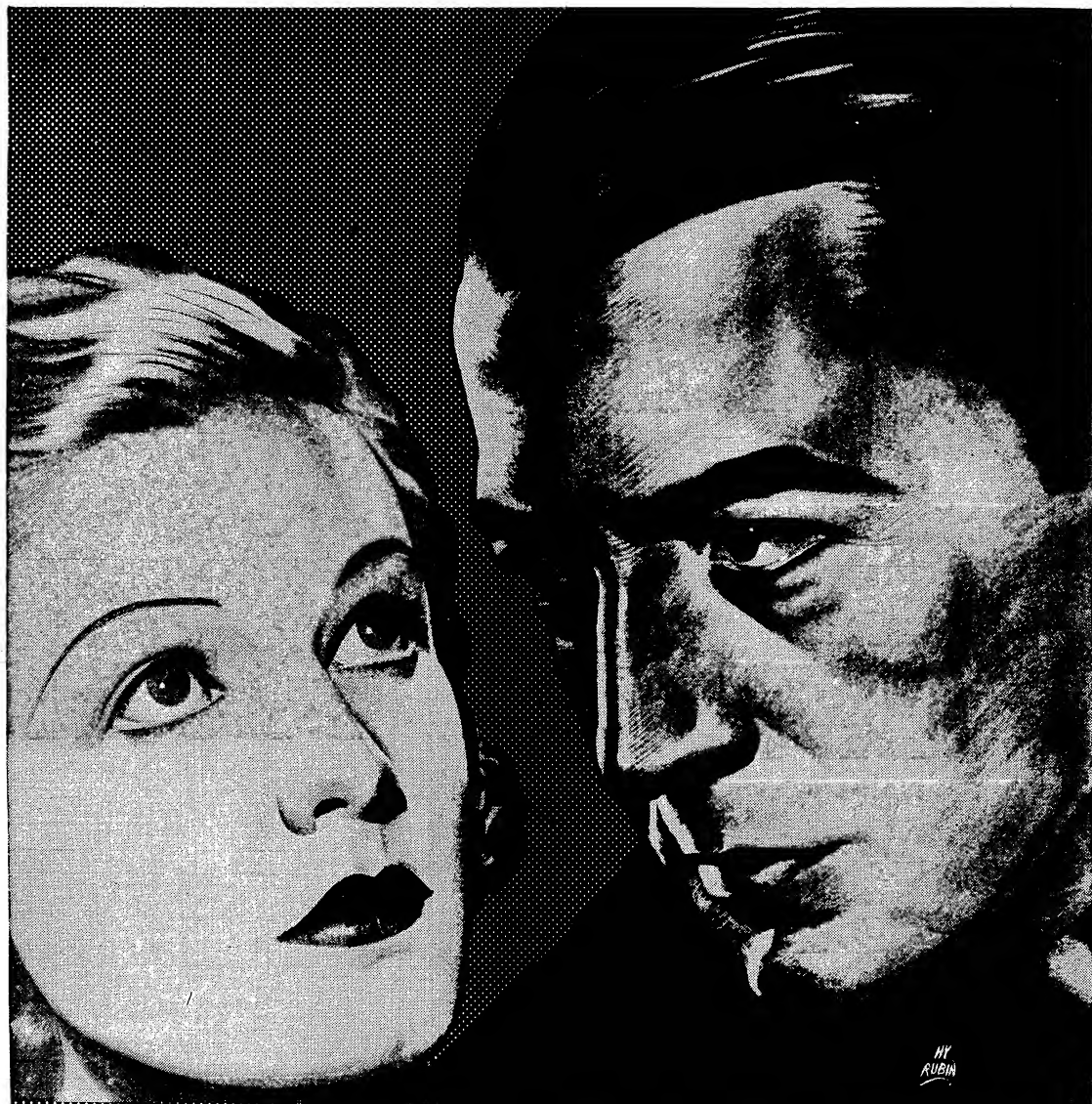
TOPS 'EM ALL



## "LOVER DIVINE"

MARTA EGGERTH • HANS JARAY • HELEN CHANDLER

LIKE THE ENORMOUSLY SUCCESSFUL "BLOSSOM TIME"...  
IT DRAMATIZES THE LOVES OF FRANZ SCHUBERT...WHOSE  
MUSIC KINDLED ROMANCE IN THE HEARTS OF ALL WOMEN



TOPS 'EM ALL



CLIVE BROOK  
MADELEINE CARROLL

IN

"*The* **DICTATOR**"

WOMEN MADE HIM ... WOMEN UNMADE HIM ...

A TOEPLITZ  
PRODUCTION



TOPS 'EM ALL



# GEORGE ARLISS

*(Tillie's Later)*

MODERN . . . GRIPPING . . . BOX OFFICE . . .  
WRITTEN . . . DIRECTED . . . AND PRODUCED  
BY GENIUSES . . . TO MATCH THE GENIUS  
OF GEORGE ARLISS





T-O-S-T-A-L-L



# "MAN OF ARAN"

ROBERT FLAHERTY'S SAGA OF THE SEA

"THE BEST PICTURE OF THE YEAR"

... NATIONAL BOARD OF REVIEW

NOW IN ITS 22nd WEEK ON BROADWAY

# G-R IN CIRCUIT BUILDUP

## POLA NEGRI'S NAZI FILM MIXUP

Berlin, Feb. 15.  
Despite the official okay of the German government, and much newspaper palaver, Pola Negri may not go to work for UFA, as contracted, reason being company officials fear a run-in with the minister of propaganda, who issued a decree against her after the contract was signed.

Miss Negri was first banned by Goebbels on the grounds that she was non-Aryan and therefore could not be permitted to work in Germany. This decree later was officially nullified by Chancellor Hitler, after a confab with the Polish Ambassador.

Although Hitler's intervention made the decision permanently indisputable by the ministry, UFA is in the difficult situation of not being in the graces of Goebbels, fearing future reprisals if accepting Hitler's permission as final.

## LONDONCAPITOL TO BE REBUILT

London, Feb. 17.  
Capitol picture theatre, one of the oldest in the West End and next to the London Palladium the most important in the General Theatres Corporation group, which has 55 houses and is one of the most important subsidiaries of Gaumont-British, is to be rebuilt.

Capitol was originally built by Sir Walter Gibbons at a cost of \$1,500,000, with the Kit-Cat club as part of the structure. It is unlike any other house in the West End. Gaumont-British have long felt that in its present condition the Capitol is not much use, but its troubles with the G. T. C., which has been losing money, plus the tremendous indemnities asked by the lessees of the shops surrounding the theatre, have been the stumbling blocks.

With the leaseholders bought out, and the reduction of capital scheme of G. T. C. practically set, it is now possible to go ahead with the rebuilding scheme.

Plans are set for extensive internal alterations, with the skeleton of the building only to be left. Former Kit-Cat club will disappear with ground floor and two tiers to be erected. Seating capacity will be extended from 1,500 to 2,000 and the frontage will be widened.

## Veidt Switching from G-B to Korda in June

London, Feb. 26.  
Conrad Veidt's contract with Gaumont-British expires in June, at which time he goes over to Alexander Korda for two features. He will get \$50,000 for the first picture and \$75,000 for the second.

Korda is also negotiating for Victor Seastrom, Swedish director.

## Gorochov's Tour

Paris, Feb. 17.  
M. Gorochov, Russian dubbing specialist who handles post-synchronization in France for United Artists and other American firms, plans a tour of Russia, the Scandinavian countries, Holland, England, Spain and Italy, with a view to establishing dubbing studios in those lands.

He is interested chiefly in dubbing French films abroad, reversing the process he carries out here.

## Another Way

London, Feb. 17.  
Toepfritz Film Co., which produced "The Dictator," starring Olive Brook and Madeleine Carroll, submitted the finished picture to the British film censor, who cut out a short flash showing a nude woman in silhouette.

Desirous of showing the film in completion to the London film critics, company invited the boys to fly over and see it in Paris. Mob was put up at the Hotel Crillon for two days and then flown back.

## CZECH CENSORS WORRY U. S. COS.

Prague, Feb. 26.  
Just as the American major companies are about ready to step into this market again, after being out nearly three years, they have been handed a serious set-back by the Czechoslovakian government and are in somewhat of a quandary as to how to proceed. Trouble is all in the Fox office thus far but others are watching. "Camelot" and "Baby Take a Boy" is being held up by censors, who seemingly can't make up their mind. No explanation in either case yet.

All U. S. companies folded their Czech offices three years ago in protest of high taxes. Compromise was reached two months ago and all majors have been preparing to start business again. Now the situation is being watched closely as companies want to know just what they're liable to have to face in the future.

Metro already has seven films in the works and almost ready for release, and all other American companies had figured on rushing in, but are now taking it just a bit easier.

## NAZIS NIX MACHATY

Refuse Czech Director Permission to Work in Berlin

Prague, Feb. 15.  
Gustav Machaty, Czech film director, has been refused permission by the German government to work in a Berlin film studio. Similar prohibition has been hurled against Lida Barova, Czech actress, although she previously was allowed to work there.

No explanations.

# ANTI-AMERICAN WHISPER CAMPAIGN IN PARIS; MAY BE POLITICAL MOVE

## Attack on Metro Started It—Believed Attempt to Split Up Independent German-French-American Tie-Up—Nationalization Ideas

Paris, Feb. 17.  
A violent whispering campaign against American film interests has broken out in certain French circles. At first it was a mere attack on U. S. pictures as entertainment, but against American film biz as an industry, and against the persons who represent it in France. Centers of the talk are French trade paper and trade association circles, and is the result of recent events in trade politics.

Campaign was led loose by an article in Critique Cinematographique, a French trade paper, attacking Metro for its alleged attempt to get hold of the Gaumont-Franco-Film Aubert circuit, and accusing that American firm, without naming it, of being anti-French.

Cue was picked up elsewhere and

## REPRISAL ON U. S. FILMS FORESEEN

Has Bought Into Hyams' 8 Houses in Adding to Own 400 Theatres—Also After General Theatres—Expects to Force Lower Percentages on U. S. Distributors

## OSTER'S BURNUP

London, Feb. 26.  
Battle by Gaumont-British to secure an interest in as many big theatres over here as possible has started. Intent is believed stimulated by Jeffrey Berners's recent visit to America, during which he made up his mind to have it out with American distributors on product. G-B figures that by enlarging its theatre holdings on this side, beyond its present 400 houses, it will force American film distributors here to accept lower percentages. Even more important is the angle that command of so much playing time will force greater reciprocity of American circuits towards G-B product in the U. S. Mark Oster, G-B president, is reported still smarting under the treatment he has declared to friends he received from most major American companies.

## Hyams and G-T

G-B has been buying into theatre chains right and left lately and is seemingly willing to continue doing this. Latest is a heavy interest purchase into the Hyams chain of eight houses. These Hyams theatres are all of large capacity and within the London area. The Hyams chain is also currently building a 4,000-seater in Kilburn. Deal involves payment in Gaumont stock and guaranteed bookings. (Continued on page 64)

## B&B's Pic for U

London, Feb. 17.  
Baxter & Baxter Productions has started work on "The Small Man," based on the idea of chain stores taking the bread out of mouths of the little shop-keepers. Albert Sandler, violinist, will be featured in restaurant sequences. Picture will be released through Universal.

passed around by word of mouth. Open attacks in the press have not developed, and possibly won't—it is done at luncheons and private meetings of newspapermen and trade gossip.

## Alleged U. S. Idea

Thesis of the whispers is that the Americans want to cop the French industry, and it would be better for the French not to co-operate with them. French trade ought to turn in other direction, is the whispered idea, and flirt with German film interests. The two could then combine to fight Americans, is the point. French circles friendly to the Yanks—and there are many such—see in this new move an attempt to break up the newly formed distributors' association, which French, German and American interests are

## Battle On to Make Belgium Change Mind on Dubbing; Yanks in Brussels

## JUST A TAME BEAR

But Annabella is Out for Three Weeks After Playing with Him

Paris, Feb. 17.  
Annabella, French film star, is suffering from a broken left ankle, result of a Johnnie studio row with a bear. Actress fooled around with the animal between shots, and he got rough, knocking her down. Jean Murat, her husband, pulled her out of reach of the claws, and the bear was re-caged.

Annabella will be out for three weeks, at least. Accident happened during shooting of talker version of "Variety," which was the big Emile Jannings film as a star.

## COMEDIE'S 1ST PIC PROGRAM

Paris, Feb. 17.  
Films are breaking into the sacred precincts of the Comedie Francaise for the first time Friday (22).

Silver screen is to be hung in procession of famous theatre for presentation of pictures in which actors of the Comedie officially took part, under auspices of the ace French theatre itself. Occasion is a benefit for the pension fund of the Comedie.

Program consists of Mollere's "Preeclusee Ridelices," just completed in film version at Pathe Francaise studio; an educational film on the Comedie, titled "House of Mollere," filmed by Leonce Perret from a poetic script by Jean Valmy-Baysse and with music by Marcel Delannoy; another film by Leonce Perret, "An Evening at the Comedie Francaise," partially shot in the theatre itself, with music by Jacques Larmenjat; and a Sacha Guitry short, "Two Places."

No scenes of any sort has ever before taken place in the theatre.

## 'DRAKE' STARTS

London, Feb. 17.  
"Drake" has been put into production at the Eclair studios under the direction of Arthur Woods. Matheson Lang is playing the role of England's Empire builder.

Local reps are fighting tooth and nail to keep the French-speaking Belgian market for American films by forestalling a move to bar from Belgium all dubbed films except those dubbed in country itself.

Violent hearing on the subject held Monday (11) in Brussels, at which leaders of Belgian actors' union testified that thousands of their members would get work if the banning decree were put into effect. Looked as if the Government favored their plea.

American reps are replying with figures on how much it costs to dub a film, arguing that it will be financially impossible for them to make one dubbed French version for France and another for Belgium. France already has in effect a law requiring all dubbing to be done in this country.

Alan Byre of Metro and Ernest Koenig of Warners are in Brussels to continue the fight, and will probably stay there several days. Ban had already been signed when the Americans heard about it, but hadn't been published in the Journal Officiel, and therefore hadn't yet gone into effect.

French-speaking part of Belgium uses original versions in English, so will not be affected. French-speaking regions, however, will get no more American dubbed films if the ban is applied.

Belgians argue that films can be dubbed for 50,000 Belgian francs, which is a trifle over \$2,000. Americans reply that it is possible to dub films at that price, but the job would be so badly done that no one would come to see it. The average film costs approximately \$10,000 to dub. Since, for the normal picture, the territory in question is worth a gross of about \$5,500, the chances that American firms will dub pictures specially for Belgium are easy to calculate.

Belgian exhibitors, who naturally want American films, are up in arms against the decree—stimulated by the American renters from Paris—but the Belgian renters are determined to stick to the idea of getting rid of important competitors and are backing the ban.

## RCA LOSES BRITISH SOUND PATENT SUIT

London, Feb. 17.  
Justice Bennett in the Chancery Division gave judgment in favor of defendants, in a suit brought by RCA Photophone, Ltd., against Gaumont-British Picture Corporation, Ltd., and British Acoustic Films, Ltd.

It was an action for an alleged injunction against infringement of plaintiffs' letters patent for the elimination of "ground noises" on sound tracks.

## Vesuvius in Film

Rome, Feb. 15.  
Gustave Machaty, Czech film director, will produce a film here, theme of which is to be based on an eruption of Vesuvius.

Title of picture will be "The Dumb Girl of Portici," from a story by J. Auber, which treats of a girl rendered mute by an eruption of the volcano.

## Mex Pic Okay

Mexico City, Feb. 26.  
"Tu Hijo" ("Thy Son"), problem drama, produced by Cia. Duquesa, was written and directed by Jose Bolir, Argentine actor who has some Hollywood experience, is first of such pic to be made here, is doing well at a local first run house. Pic is distributed by Felipe Mier, former UFA manager here.

collaborating. Leader of the association movement and president of the association is G. Lournau, who represents the German firm, Tobis Kinofilm, immediately after him in the hierarchy are representatives of American firms.

Lica of gossipiers is supposed to (Continued on page 64)

## Gretl Thiemer, Husband, Badly Hurt in Crash

Berlin, Feb. 15.  
Gretl Thiemer, film actress, and Arthur Heil, her husband, were badly injured en route to Osnabruck, where Heil had a guest performance.

Heil was driving to Bielefeld when a huge car shot out of a side road swiping his machine and dumping both the occupants. Pair was rushed to Bielefeld hospital where Heil's injuries were found to consist of serious cuts and bruises, but his wife suffered serious, a broken ankle and internal injuries. Both are still hospitalized.







**HIT!** **HIT!** **HIT!**  
**Hit!** **HIT!** **HIT!**  
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THE BIGGEST KIND OF A

**HIT**

EVERYWHERE!

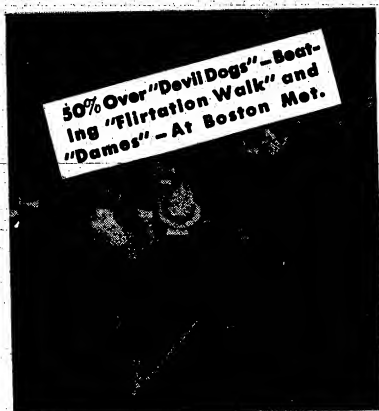
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# ACTUALLY TOPPING "DEVIL DOGS",

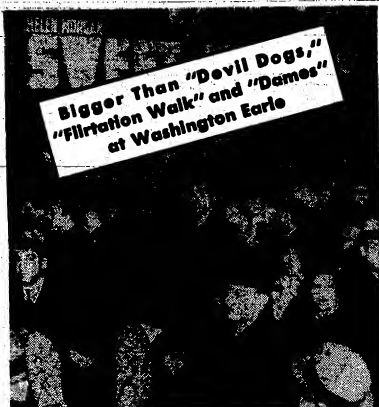
Sensational N. Y. Premiere Matched by Bo

LOOK AT THESE AMAZING COMPARISONS WITH

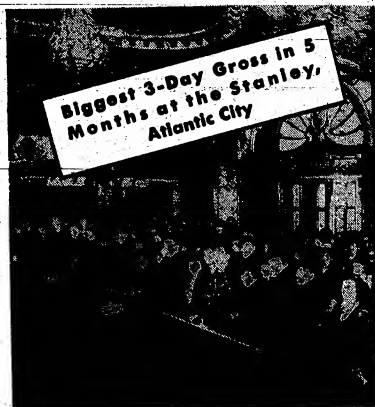
FAMOUS HOUSES FROM COAST TO COAST DUPLICATED THESE FR



50% Over "Devil Dogs" - Beat-  
ing "Flirtation Walk" and  
"Dames" - At Boston Met.



Bigger Than "Devil Dogs,"  
"Flirtation Walk" and "Dames,"  
at Washington Earle



Biggest 3-Day Gross in 5  
Months at the Stanley,  
Atlantic City

MORNING, NOON

AND NIGHT, BLOCK-LONG LINES

**HELD OVER  
of course  
ON B'WAY**

*Congratulations from 9,000  
Happy First-Nighters to Rudy and*

**ANN DVORAK**

Ned Sparks • Helen Morgan

Robert Armstrong • Allen

Jenkins • Alice White • Joe

Cawthorn • Al Shean • The

Connecticut Yankees • Frank

& Milt Britton Band • The

Six Famous Composers

Bobby Connolly and

**DIRECTOR AL GREEN**



**No wonder Ann's turnin'**

**Look what New York papers say about**

"'Sweet Music' a hit, Rudy Vallee a star! Three rousing  
cheers for Warner Bros."—*N. Y. American*

"Rollicking, tuneful, hilarious. A Rudy which should  
send the Vallee Fan Clubs into ecstasies."—*Mirror*

"Rudy's most ambitious and most promising picture."  
—*Daily News*

# RUD

# "SWE

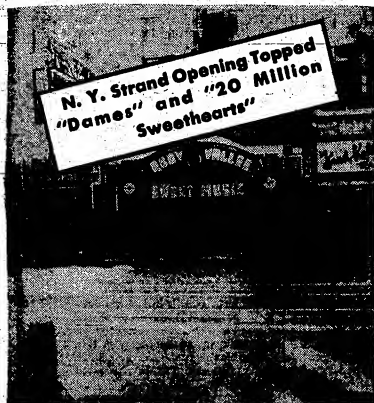
and "Sw

# "FLIRTATION WALK" AND "DAMES"!

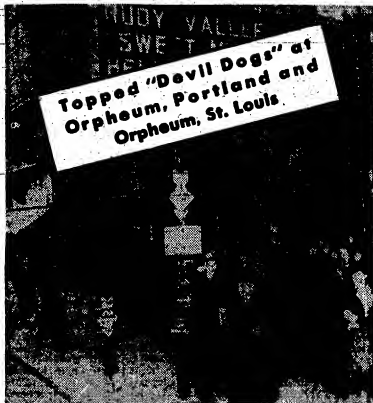
ston, Washington, Portland, and Other Keys

THE BIGGEST HITS OF THE PAST SIX MONTHS!

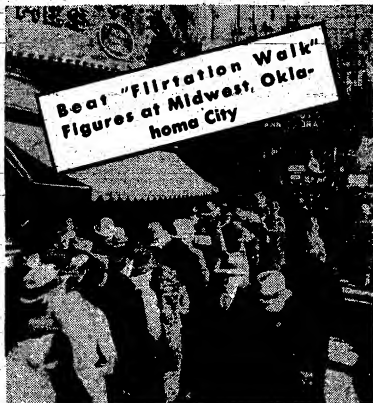
ENZIENED N. Y. STRAND PREMIERE SCENES OVER THE WEEK-END



N. Y. Strand Opening Topped  
"Dames" and "20 Million  
Sweethearts"



Topped "Devil Dogs" at  
Orpheum, Portland and  
Orpheum, St. Louis



Beat "Flirtation Walk"  
Figures at Midwest, Okla-  
homa City

TELL THE STORY OF RUDY'S NEW BOX-OFFICE PERSONALITY

**g handsprings!**

her and Rudy in "Sweet Music"

"A thoroughly diverting song-and-dance entertainment. Vallee is excellent."—*World-Telegram*

"Sparkling addition to the series of musical hits devised by Warner Bros. Definitely establishes Rudy as a screen personality."—*Eve. Journal*

"Will delight Rudy's enthusiasts."—*Herald-Tribune*

Another "Big Shot" Hit  
All Set Up For You By  
**WARNER BROS.**

# Y VALLEE

makes

# ET MUSIC"

et Music" has made Rudy Vallee!







take a marvelous box-office title like  
**"LET'S LIVE TONIGHT"**



take **VICTOR SCHERTZINGER**, who  
 directed **"ONE NIGHT OF LOVE"**



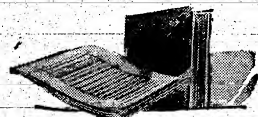
take two stars like **LILIAN HARVEY**  
 and **TULLIO CARMINATI**



take a new song hit to sweep the country  
 like **"LOVE PASSES BY"**



take a swell script by **GENE MARKEY**  
 from **BRADLEY KING'S** story



take a company like **COLUMBIA** to  
 put these grand elements together



*and* **IT'S ANOTHER  
 COLUMBIA HIT** !



By Epes W. Sargent

### Covered the Town

Browning went to each park and promised passes if all the numbers were played at least once a week several times a week and, if, before they were played, they were announced as part of the show 'Sweet Music.' Later stunt was new around here.

Four hundred Diamond taxicabs carried stickers on windows reading, 'Ride a Diamond when going to see Sweet Music.' Other tie-ups were with an ice-skating rink, a shoe store, Modern Screen magazine and with two dept. stores that are agencies here for Majed Hosiery, which are worn exclusively by Ann Dvorak in the pic.

### Just Remembering

Sometimes a good memory is as valuable as a good imagination. For example, one exhibitor who wanted something different for the "Great Britain" stand, and a student several years ago, Hilda, got some lumber from the lumber yard, made frames for some of the stills, painted them black and glued on silvered paper, crumpled and torn, and then she talked of the town. Never used there, and probably not used anywhere for several years. Frames were made, and the student was in attendance to the picture. He didn't dare trust them in the lobby, placing them in windows, but for the lobby, something each with a narrow strip of silver, with the crackers scattered about, apparently haphazardly, and the student was in attendance. He worked on "Baboona," particularly. If it can be arranged to get all

Just goes to show an idea does not have to be new to be good; so long as it looks new. That one-piece coat and suit hanger gets itself

remembered every little while, and always to good effect. Hanger is merely a two-inch finishing nail hung in an envelope printed with instructions to drive it into the wall and hang things on it. Good idea with a way to kid some elaborate giver away in a competitive house, or can stand by itself. The 'No Bull' never can be forgotten, but in the limbo of the blind man tapping his stick along the street with a sign stating he'd give a million dollars if he could see the picture being advertised. More than a couple of years since a 'woman' sign painter did a paint job on the side of a tall building, and

et it could still be a knockout: If you're stuck, sit down and remember:

**Dash of Color for Ads**  
Los Angeles.  
Two color, half page ads. are being used by Mike Newman of Co.

umbia to promote 'The Whole Town's Talking' in Seattle, Portland, Tacoma, Oakland, San Diego and Tucson. Where two dailies in town are used, one will carry the

Newman first used the two-color  
plush on 'It Happened One Night,'  
which had a long run in Seattle.

### Color Changer

pair of cin-wheels. In effect the sign shows lighted letters either in one solid color or in various colors. These gradually change with average motion from one color to another.

(Continued on page 70)

The Biggest Event in New Orleans This Week  
Climaxing the M. P. T. O. A. Convention.  
**World Premiere of "ROBERTA"**

Thursday, February 28 . . .  
Orpheum Theatre

★ **JEROME KERN'S**

**MIRACLE**

**MUSICAL ROMANCE!**

Three of the nation's favorites  
in the nation's favorite stage  
success . . . ten  
times as tantalizing on the  
screen!

★ **IRENE DUNNE**

The Golden Girl With the Silver Song

**FRED ASTAIRE**  
**GINGER ROGERS**

America's Dancing Stars . . . in

**ROBERTA**

A priceless adventure in Paris at love time! . . . Gasp at the ravishing gowns, the fortune in furs, the ransom in jewels—and the maddening beauties who wear them! . . . Toe-tap to the teasing rhythm of the dream-disturbing tunes! . . . In this heart-load of romance!

SCREENED IN A SUNBURST OF  
SONG... WITH SENSATIONAL NEW  
DANCES BY THE STARS OF "GAY DIVORCEE"

You'll never forget  
these magic melodies:  
"Lovely To Look At"—"I'll  
Be Hard To Handle"—  
"Smoke Gets in Your Eyes"  
—"Let's Begin"—"Yester-  
day"—"I Won't Dance"

BY DIRECT WIRE FROM  
**WESTERN  
UNION**  
NEWCOMB CANTON

**CLASS OF SERVICE**  
This is a full-rate  
Telegram or Cable-  
gram unless  
indicated by a suitable  
sign above or preced-  
ing the address.

NAA17 56 DL=MEMPHIS TENN FEB 29 1206P  
JULES LEVY, GENERAL SALES MANAGER  
RKO DISTRIBUTING

FROM ONE OF AMERICA'S  
GREAT EXHIBITORS...

ITS IN THE BAG-ROBERTA OF COURSE STOP DUNNE ROGERS ASTAIRE IN  
FACT ENTIRE CAST GIVE THEIR BEST PERFORMANCE STOP PREVIEWED  
TO SMALL SELECT GROUP THE FINISH LEFT THE YELLING FOR MORE  
STOP JULES I WANT TO CONGRATULATE YOU FOR ONE GRAND PICTURE  
STOP TRULY THINK RKO HAS SET NEW MARK TO SHOOT AT SINCERE  
REGARDS.

M A LIGHTMAN.

BY DIRECT WIRE FROM  
**WESTERN  
UNION**  
FROM ONE GREAT CIRCUIT  
BUYER TO ANOTHER...

**CLASS OF SERVICE**  
This is a full-rate  
Telegram or Cable-  
gram unless its de-  
scribed character is in-  
dicated by a suitable  
sign above or preced-  
ing the address.

BOB O'DONNELL=

INTERSTATE CIRCUIT DALLAS TEX=

DEAR BOB SAW SCREENING ROBERTA YESTERDAY STOP TAKING PRIVILEGE  
GIVING YOU MY OPINION AS IT DESERVES THE WORKS STOP  
ENTERTAINMENT SECOND TO NONE THIS YEAR STOP IRENE DUNNE  
MARVELOUS AND BEAUTIFUL IN HER PART PERFECTLY SUITED PERFECTLY  
CAST STOP ROGERS ASTAIRE OUTSHINE ALL THEIR PREVIOUS EFFORTS  
STOP STYLE SHOW SEQUENCE SPECTACULAR AND GORGEOUS STOP WOMEN  
WILL RAVE STOP MY WIFE AND OUR PARTY STILL TALKING STOP  
PERSONALLY DO NOT FEEL CAN SAY ENOUGH FOR ROBERTA REGARDS:

MR E GRIFFITH

(GRIFFITH AMUSEMENT CO)

**RKO-RADIO  
PICTURE**

With  
**RANDOLPH SCOTT  
HELEN WESTLEY  
VICTOR VARCONI  
CLAIRE DODD**  
From the play, "Roberta." Book  
and lyrics by Otto Harbach.  
Directed by William A. Seiter.  
Pandro S. Berman Pro-  
duction.



# CALENDAR OF CURRENT RELEASES

## Harold Auten

Office: 1540 B'way, N. Y. C.

**Autumn Crocus** (British). Charming film from Anthony play, with femme appeal. Dir. Basil Dean. 70 mins. Rel. Oct. 15. Rev. Nov. 6.  
**Blue von Himmel**, Dos (Ger.). Musical romance. Martha Eggerth. Dir. Victor Janson. 70 mins. Rel. Sept. 15.  
**End of the World** ('Fin du Monde' (Fr.)). Scientific dream based on Flammarion novel. Dir. Abel Gance. 65 mins. Rel. April 15.  
**Es war einmal in Wien** (German). Musical romance with Lenar music. Martha Eggerth. Dir. Victor Janson. 80 mins. Rel. Oct. 1.  
**Loyalties** (British). Drama from the Galsworthy play. Dir. Basil Dean. 70 mins. Rel. Oct. 15. Rev. Oct. 30.

## Chesterfield

Office: 1540 Broadway, New York, N. Y.

**Curtain Falls**, The. Old actress impersonates aunt of a wealthy family o make old age secure. Proves a good genius. Henrietta Crosman. Dir. Charles Lamont. 67 mins. Rel. Oct. 15.  
**Fugitive Road**, An Austrian-Italian border story. Eric von Stroheim. Wera Engels, Leslie Fenton. Dir. Frank Strayer. 67 mins. Rel. July 1. Rev. Nov. 20.  
**Ghost Waits**, The. A mystery comedy. Cast. John Miljan, June Collyer. Dir. Frank Strayer. 67 mins. Rel. Dec. 1.  
**One in a Million**, Department store background for a love story. Charles Starrett, Dorothy Wilson. Dir. Frank Strayer. 67 mins. Rel. Sept. 15.  
**Port of Lost Dreams**, Tragically along the waterfront and on the tina fisheries. Wm. Boyd, Lola Lane. Dir. Frank Strayer. Rel. Oct. 15.  
**Shot in the Dark**, A college mystery. Charles LaMonte, Robert Warwick, Marion Shilling. Dir. Charles Lamont. Rel. Feb. 15.  
**Sons of Steel**, A new deal drama of fathers and sons. Charles Starrett, Wm. Bakewell, Polly Ann Young. Dir. Charles Lamont. 64 mins. Rel. Dec. 1.  
**Symphony of Living**, A drama of sacrifice against a background of symphonic music. Al Shean, Evelyn Brent, Charles Judels. Dir. Frank Strayer. 68 mins. Rel. Jan. 15.  
**World Accusers**, The woman's fight against the world alone. Vivian Tobin, Russell Hopton, Dickie Moore. Dir. Charles Lamont. 60 mins. Rel. Nov. 1.

Studio: Gower at Sunset, Hollywood, Cal. Office: 729 Seventh Ave., New York, N. Y.

**Against the Law**, Gangster mixup with an ambulance crew. John Mack Brown, Sally Blane, Arthur Hohl. Dir. Lambert Hillyer. 61 mins. Rel. Oct. 25. Rev. Dec. 18.  
**Behind the Evidence**, Newspaper man smokes out a master mind. Norman Foster, Dorothy Wilson, Charles Manette. Dir. Lambert Hillyer. 70 mins. Rel. Jan. 20. Rev. Feb. 6.  
**Best Man Wins**, The. Edmund Lowe, Jack Holt in a familiar outline. Florence Rice as the girl. Dir. Earle Kenton. 75 mins. Rel. Jan. 5. Rev. Jan. 15.

**Broadway Bill**, Race track story based on one of Mark Hellinger's yarns. Myrna Loy, Warner Baxter. Dir. Frank Capra. 90 mins. Rel. Dec. 8. Rev. Dec. 20.

**Call to Arms**, Willard Mack, Sheila Mannors, Esther Ralston. Dir. Willard Mack. Rel. Jan. 12.

**Captain Hates the Sea**, The. Rictuous nautical comedy of a mixed passenger list. Victor McLaglen, Wynne Gibson, Alison Skipworth, John Gilbert. Dir. Lewis Milestone. 80 mins. Rel. Oct. 22. Rev. Dec. 4.

**Carnival**, Carnival story of a man's search for a mother for his child. Lee Tracy, Sally Blane, Jimmy Durante. Dir. Walter Lang. 77 mins. Rel. Feb. 10. Rev. Feb. 20.

**Fugitive Lady**, Innocent girl, sentenced to prison, finds a haven and love. Ruth Hamilton, Florence Rice. Dir. Al. Rogos. 65 mins. Rel. Oct. 25. Rev. Dec. 11.

**Girl in Danger**, 'Inspector Trent' story of a lost emerald. Ralph Bellamy, Shirley Grey. Dir. D. Ross Lederman. 61 mins. Rel. Aug. 13. Rev. Nov. 6.

**I'll Fix It**, Political fix discoverers he can't fix love. Jack Holt, Mona Barrie, Whinnie Lightner. Dir. Roy W. Neill. 69 mins. Rel. Oct. 13. Rev. Nov. 20.

**Jealousy**, Jealous prize fighter has a vivid dream while taking the count. Nancy Carroll, George Murphy. Dir. Roy W. Neill. 65 mins. Rel. Oct. 13. Rev. Nov. 20.

**Lady by Choice**, Fan dancer adopts a mother, who brings her happiness. Carol Lombard, May Robson, Roger Pryor. Dir. David Burton. 77 mins. Rel. Oct. 15. Rev. Dec. 1.

**Law Beyond the Range**, Tim McCoy Western. Billie Seward. Dir. Ford Beebe. Rel. Feb. 15.

**Lady is Willing**, Investment victim kidnaps banker's wife. She falls in love with her captor. Loretta Young, Billie Barnes. Dir. Gilbert Miller. 66 mins. Rel. July 30. Rev. Aug. 14.

**Men of the Night**, Romance of a detective. Bruce Cabot, Judith Allen. Dir. Henry Ford. 68 mins. Rel. Nov. 28. Rev. Dec. 4.

**Mills of the Gods**, Industrial story of the depression. May Robson, Fay Wray. Victor Jory. Dir. Roy W. Neill. 67 mins. Rel. Dec. 15. Rev. Jan. 22.

**Name the Woman**, 'Policies and a girl reporter. Arline Judge, Richard Cromwell. Dir. Roy W. Neill. 64 mins. Rel. Aug. 1. Rev. Dec. 4.

**Lets Live Tonight**, Tullio Carminati, Lilian Harvey, Aida Trel. Dir. Victor Schitzinger.

**One Night of Love**, Romance of an opera star. Grace Moore, Tullin Carr. 64 mins. Rel. Sept. 15. Rev. Sept. 11.

**Prescott Kid**, The. McCoy Western. Sheila Mannors. Dir. David Selman. 65 mins. Rel. Jan. 15.

**Square Shooter**, Tim McCoy, Jacqueline Wells in a Western. Dir. David Selman. 77 mins. Rel. Jan. 21.

**That's Gratitude**, Theatrical man gets no thanks in farcical romp. Frank Craven. Dir. Frank Craven. 67 mins. Rel. Oct. 13. Rev. Nov. 6.

**Westerner**, The. Tim McCoy, Marion Shilling. Dir. David Selman. 67 mins. Rel. Oct. 15. Rev. Nov. 6.

**White Lies**, Rich society girl falls for the big, brave cop. Walter Connolly, Fay Wray. Victor Jory. Dir. Leo Bulgakov. 63 mins. Rel. Nov. 27. Rev. Jan. 15.

**Whole Town's Talking**, The. Robinson in a dual role as a killer and a pacifist who resembles him. Edw. G. Robinson, Jean Arthur. Dir. John Ford. Rel. Feb. 15.

## World

Office: 729 Seventh Ave., New York, N. Y.

**Beast of Borneo**, Melodrama and animals. John Preston, Mary Stuart. 70 mins. Rel. July 15.

**Blue Light**, (Austrian and Italian). Mountain romance among Italian Dolomites. Directed and starring Leni Riefenstahl. Rel. Sept. 15.

**Bride of Samoa**, South Sea featurette. Dir. Phil. Brown. 30 mins. Rel. March 1.

**Craignebelle** (Fr.). Drama from Anatole France yarn. Dir. Jacques de Baroncelli. 80 mins. Rel. Dec. 1.

**Girl in the Case**, Crime in the Continental manner. Jimmy Savo, Eddie Lambert, Dorothy Darling. Dir. Eugene Frenke. 60 mins. Rel. Oct. 1.

**Hollywood City of Dreams** (Sp.). Jose Bohr, Spaniard's impression of civilization. 68 mins. Rel. March 30.

**Kocha**, Lubl, Szany (Polish). Young love in Poland, with music. Dir. Michal Wyzanski. 70 mins. Rel. Nov. 1.

**La Grande Alcega** (Fr.). Pre-Napoleonic drama. Dir. Roger Richebe. 70 mins. Rel. Oct. 15.

**Man Who Changed His Name** (British). An old Edgar Wallace yarn revived. Dir. Henry Edwards. 75 mins. Rel. Oct. 1. Rev. Oct. 23.

**Norah O'Neale** (British). Irish yarn. Dir. Desmond Hurst. 70 mins. Rel. Oct. 15. Rev. Oct. 30.

**Romance in Budapest** (Hung.). Franciska Gaki. Musical. 70 mins. Rel. April 15. Rev. May 15.

**Tell Tale Heart** (British). Edgar Allan Poe thriller. Dir. Desmond Hurst. 60 mins. Rel. June 15. Rev. June 15.

## First Division

Office: R.N.O. Bldg., New York, N. Y.

**Releases Also Allied, Chesterfield and Monogram**

**Curtain Falls**, One-time famous actress uses her talents in an entirely novel role. Henrietta Crosman. Dir. Charles Lamont. 65 mins.

**Girl of the Limberlost**, The famous Gene Stratton Porter classic. Marjorie Marsh, Ralph Rogers, Eddie Nugent. Dir. Christy Carmine. 69 mins. Rel. Nov. 8.

**Girl of My Dreams**, College life and college romance. Mary Carlisle, Eddie Nugent, Cregdon Clatter, Arthur Lake, Sterling Holloway, Gail Garrish. Dir. Ray McCarty. Rel. Nov. 17.

**Happy Landings**, Story of the U. S. air border patrol. Ray Walker, Jacqueline Wells. 63 mins. Rel. Sept. 1.

These tabulations are compiled from information supplied by the various production companies and checked up as soon as possible after release. Listing is given when release dates are definitely set. Titles are retained for six months. Managers who receive service subsequent to that period should preserve a copy of the calendar for reference.

The running time as given here is presumably that of the projection room showings and can only approximate the actual release length in those states or communities where local or state censorship may result in deletions. Running time in the reviews as given in 'Variety' carry the actual time clocked in the theatre after passage by the New York censor. Most of the pictures are reviewed only in actual theatre showings.

While every effort is made to hold this list accurate, the information supplied may not always be correct, even though official. To obtain the fullest degree of accuracy, 'Variety' will appreciate the co-operation of all managers who may note discrepancies.

## Studio Placements

**Hollywood, Feb. 26.**  
**Claude Blynn**, screen play, 'Accent on Youth'.  
**Herbert Fields**, adaptation, 'The Glass Key'.  
**James M. Herson**, writing gaps, 'The Plot Thickens'.  
**Samuel Langford**, 'The Crusades'.  
**Tommy Conlon**, 'The Crusades'.  
**Suzanne Kaaron**, Paul Stanton, 'Strangers All'.  
**David Corrigan**, Grizelda Harvey, 'The Informer'.  
**Spencer Charteris**, Lily Taylor, 'Hooper Alcheval'.  
**Armda**, 'Gaucho Love'.  
**Tom Stoores**, 'Pop Goes the Easel'.  
**William Henry**, 'China Seas'.  
**Metro**,  
**Lady Toheroh**, rewriting script, 'Lady Comes to Town'.  
**Walter R. Bruce**, Mickey Rooney, 'Hero's Son'.  
**George Sinton**, Robert Pirosh, screen play, 'Hero's Son'.  
**Sid Silvers**, gagging, 'Broadway Melody of 1935'.  
**Ralph Spence**, added dialog, 'Big Broadcast of 1935'.  
**Dorothy Parker**, Alan Campbell, screen play, 'Her Master's Voice'.  
**Paul Porcasi**, 'Reckless'.  
**Maureen O'Sullivan**, 'The Far Off'.  
**Barry Trivers**, screen play, 'The Far Off'.  
**William C. Howard**, directing, 'The Far Off'.  
**Al Boasberg**, adaptation, 'Washington Correspondent'.  
**Charles Morris
**Walter Rubin**, directing, 'The Far Off'.  
**Bill Robinson**, 'In Old Kentucky'.  
**Nunnally Johnson**, screen play, 'Shark Island'.  
**Dudley Nichols**, adaptation, 'She'.  
**Jack Haley**, 'Redheads On the Parade'.  
**William C. Howard**, directing, 'The Far Off'.  
**Al Boasberg**, adaptation, 'Washington Correspondent'.  
**Charles Morris**, 'The Far Off'.  
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**William****

*Already*

ITS TUNES  
ARE RING-  
ING ROUND  
THE WORLD!

# GEORGE WHITE'S 1935 SCANDALS



## Listen in to:

"ACCORDING TO THE MOONLIGHT" • "IT'S AN OLD SOUTHERN CUSTOM" • "HUNKADOLA" • "OH, I DIDN'T KNOW YOU'D GET THAT WAY" • "I WAS BORN TOO LATE" • "I GOT SHOES — YOU GOT SHOESIES"

By those hit creators: Jack Yellen, Cliff Friend, Joseph Meyer, Herb Magidson

365 Times Better Than Last Year!

**ALICE FAYE • JAMES DUNN  
NED SPARKS**

**LYDA ROBERTI • CLIFF EDWARDS • ARLINE JUDGE  
ELEANOR POWELL • BENNY RUBIN • EMMA DUNN  
GEORGE WHITE**

Entire production conceived, produced and directed by George White. Screen play by Jack Yellen and Patterson McNutt. Based on a story by Sam Hellman and Gladys Lehman



## DAVID COPPERFIELD

Greatest Extended Run Hit in  
the history of motion pictures!

## CLARK GABLE CONSTANCE BENNETT AFTER OFFICE HOURS

Washington, D. C. premiere sensational!  
Miami breaks all previous records!  
Watch this baby!

## SEQUOIA

(SEE QUO-YAH)

1935's Exploitation Triumph!  
Nominated among Year's Ten Best!

HELEN

HAYES

ROBERT

MONTGOMERY

MAY ROBSON

## VANESSA

HER LOVE STORY

WALLACE BEERY

and Giant Cast in

## WEST POINT OF THE AIR

Thrilling successor to "Hell Divers"  
and just as BIG!

JEAN HARLOW

WILLIAM POWELL

## RECKLESS

Unique musical melodrama.  
Jerome Kern melodies. Biggest  
Song and Spectacle Show  
M-G-M ever produced!

JEANETTE MacDONALD

NELSON EDDY

in VICTOR HERBERT'S STAGE HIT

## NAUGHTY MARIETTA

Coast advance notices predict  
greatest musical of all time.

# HELL BENT!

The eyes of the entire industry  
are on your pal Leo. Never in the  
annals of Metro-Goldwyn-Mayer  
(and what annals!) has Leo hit  
such a winning stride. Keep your  
dough on the leaping lion. This  
is only the start of 1935!

**EXTRA! AS WE GO TO PRESS!**

"After Office Hours" beats "Copperfield" in  
16 out of 20 openings over the week-end!



# CALENDAR OF CURRENT RELEASES

(Continued from page 32)

**Pinches Charming.** Musical comedy in a mythical kingdom. Evelyn Laye, Wynne Aronoff, George Grossmith, Max Miller. Dir. Maurice Elvey. Rel. Jan. 11. Rev. Jan. 15.

**Unfinished Symphony.** Musical romance based on Schubert's life. Martin Eganoff. Dir. Will Foyt. 85 mins. Rel. Jan. 11. Rev. Jan. 15.

## Liberty

**Play Days.** Musical. Theatrical boarding house locale. Marjorie Rambeau, Florine McKinney, Lawrence Gray. Dir. William Nigh. 74 mins. Rel. Jan. 11. Rev. Jan. 15.

**On to Evey Bach.** Musical. From the "Big Mitten." Lella Hyland, Phillips Holmes. Dir. Fred Newmeyer. 70 mins. Rel. Oct. 26. Rev. Feb. 12.

**School for Girls.** Reform school drama. Sidney Fox, Paul Kelly, Lola Willson, Anne Shirley. Dir. Wm. Nigh. 73 mins. Rel. Mar. 22. Rev. Feb. 26.

**Swapsheet Annie.** Society crooks drama. Winner. Tom Brown, Marion Nixon, Irene Engels. Dir. Wm. Nigh. 77 mins. Rel. date not set.

**Take the Stand.** Murder of a columnist. Jack La Rue, Thelma Todd, Gail Patrick. Dir. Ed. Rosen. 78 mins. Rel. Sept. 11.

**Two Heads on a Pillow.** Matrimonial warfare. Nell Hamilton, Miriam Jordan. Dir. Wm. Nigh. 78 mins. Rel. Oct. 2. Rev. Oct. 2.

**When Strangers Meet.** Mixup in a bungalow colony. Rich. Cromwell, Arline Judge. Dir. Wm. C. Cahan. 73 mins. Rel. July 20. Rev. Nov. 29.

**Without Children.** Modern drama of divorce. Marguerite Churchill, Bruce Cabot, Evelyn Brent, Reginald Denny. Dir. William Nigh. 81 mins. Rel. not set.

## Majestic

**Behind the Green Lights.** Factual story from the book of the same name. Nell Hamilton and Kathleen Williams. Norman Foster, Judith Allen, Sidney Blackmer. Rel. Feb. 22.

**Night Alarm.** The Newspaper story with a reporter winning the city boss's daughter. Bruce Cabot, Judith Allen, H. B. Warner. Dir. Spencer Bennett. 69 mins. Rel. Jan. 15.

**Perfect Blue.** The David Manners. Keith Gallagher, Dorothy Lunde. Dir. Robert. 64 mins. Dynamic detective mystery thriller.

**Barlet Letter.** The Hawthorne's dramatic classic. First sound filming. Clive Brook, Lillian Albert. Dir. Robert. 70 mins. Rel. Sept. 26. Rev. Sept. 26.

**Oh Had to Chase.** Texas girl goes to Hollywood and back again. Not a studio story. Lillian Albert. Lorry Crabbe. Dir. Ralph Ceder. 62 mins. Rel. Oct. 1. Rev. Sept. 25.

## Mascot

**Behind the Green Lights.** Factual story from the book of the same name. Nell Hamilton and Kathleen Williams. Norman Foster, Judith Allen, Sidney Blackmer. Rel. Feb. 22.

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## Metro

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## Monogram

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## Principal

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## R.K.O. Radio

**Behind the Green Lights.** Factual story from the book of the same name. Nell Hamilton and Kathleen Williams. Norman Foster, Judith Allen, Sidney Blackmer. Rel. Feb. 22.

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**Barlet Letter.** The Hawthorne's dramatic classic. First sound filming. Clive Brook, Lillian Albert. Dir. Robert. 70 mins. Rel. Sept. 26. Rev. Sept. 26.

**Oh Had to Chase.** Texas girl goes to Hollywood and back again. Not a studio story. Lillian Albert. Lorry Crabbe. Dir. Ralph Ceder. 62 mins. Rel. Oct. 1. Rev. Sept. 25.

**Lawless Frontier (Lone Star).** John Wayne, Sheila Terry. Dir. R. N. Bradbury. 64 mins. Rel. Nov. 22. Rev. Jan. 22.

**Lost in the Stratosphere.** Romance of two members of air patrol amid scientific experiments. John Collier, William Cagney, Eddie Nugent. 64 mins. Nov. 15.

**Million Dollar Baby.** Fond parents try to palm over their little boy as another girl movie find to win fame and riches. Arline Judge, Ray Walker. Jimmy Foy, George E. Stone. Rel. Jan. 22. Rev. Jan. 22.

**Monte Carlo Nights.** Innocent suspect traps his man at famous casino and wins the girl. Mary Brian, John Darrow. 62 mins. Rel. May 20.

**Mysterious Mr. Wong.** Story of the twelve coils of Confucius. Arline Judge. Bela Lugosi. 68 mins. Rel. Jan. 22. Rev. Jan. 22.

**'Neath Arizona Skies. (Lone Star).** John Wayne, Sheila Terry. 62 mins. Rel. Dec. 22.

**Not Farm.** The Movie-struck family takes husband's all to crash Hollywood. John Wayne, Sheila Terry. 62 mins. Rel. Mar. 22.

**Rainbow Valley. (Lone Star).** John Wayne, Lucille Brown.

**Reckless Romances.** Comedy adventures of two hard-boiled eggs who are afraid of nothing but each other. Robert Armstrong, William Cagney.

**Red Head.** Boy and girl work out their social salvation in a lurch wagon. Bruce Cabot, Grace Bradley. Dir. Mervyn Brown. 71 mins. Rel. Nov. 20.

**Sing-Sing.** Three men accused of murdering the same man tell circumspect which was checked by the lie detector, proving they are innocent. Hardie Albright, Boots Mallory, Jameson Thomas, Conway Tearle, Ferdinand Gottschalk. (Note: Tearle starts). 60 mins. Rel. Dec. 16.

**Texas Terror.** John Wayne. A Lone Star Western.

**Trail Beyond.** In the John Wayne, Verna Hillie. 66 mins. Rel. Oct. 22.

**Women Must Dress.** Intricate ways of fashion slave people almost causing your romance of danger to end in disaster. Gordon, Suzanne Kaaren, Robert Light and Moustique contest winners. 76% mins. Rel. Jan. 2.

studios: 5825 Hollywood Blvd., Hollywood, Calif.

## Paramount

**All the King's Horses.** Zenda type story with a picture star replacing a king. William Powell, Richard King, Carl Brisson, Mary Ellis. Dir. Frank Tuttle. Rel. Feb. 16.

**Behold My Wife.** Sylvia Sidney as an Indian girl. Sylvia Sidney, Gene Ray. 74 mins. Rel. Jan. 22. Rev. Dec. 7.

**Belle of the 90's.** Backstage melodrama. Mae West. Dir. Leo McCarey. 73 mins. Rel. Sept. 21. Rev. Sept. 26.

**Caprice Espanol.** Romance of a Spanish dancer. Marlene Dietrich, Caesar Romero. Rel. Jan. 22. Rev. Dec. 7.

**Cas. 99.** Based on the exploits of the Michigan state road police. Fred MacMurray, Sir Guy-Strandling, Ann Sheridan. Dir. Chas. Barton. Rel. not set.

**Cleopatra.** Egyptian spectacle with modern dialog. Claudette Colbert, Warren Brown, Henry Wilcoxon. Dir. Cecil De Mille. 102 mins. Rel. Mar. 22.

**College Rhythm.** Musical type story. Joe Penner, Lanny Ross, Jack Oakie, Lydia Robert. Dir. Norman Taurog. 75 mins. Rel. Nov. 23. Rev. Nov. 27.

**Crime Without Passion.** Lawyer trapped by a needless case alibi. Claude Rains, Mary Magdon, Ben Hecht, Chas. MacArthur. 70 mins. Rel. Aug. 24. Rev. Sept. 3.

**Enter Madame.** From the stage play of a temperamental star. Blissa Landi. 64 mins. Rel. Jan. 22. Rev. Dec. 7.

**Father Brown, Detective.** New type of mystery story. Paul Lukas, Gertrude Michael. Dir. Edw. Sedgwick. Rel. Dec.

**Gilded Lily.** The Modest business girl is catapulted to fame through a misadventure. Gladys George, Chas. Clary. 64 mins. Rel. Jan. 22. Rev. Dec. 7.

**Here Is My Heart.** Musical. Bing Crosby, Kitty Carlisle. Dir. Frank Tuttle. Rel. Dec. 16.

**Home on the Range.** Western. Randolph Scott, Jackie Coogan, Evelyn Brent. Dir. Jacobson. 64 mins. Rel. Dec. 21. Rev. Feb. 12.

**It's a Wonderful Life.** Christmas story. Chas. Clary, Baby LeRoy. Jan. 22. Rev. Jan. 22.

**Lemon Drop Kid.** The From the Damon Runyon story in Colliers. Les. Rel. Oct. 36.

**Love Story.** Country boy and city girl finally make a match. Carnival sidegists. Joe Morrison, Dixie Lee, Burns and Allen. Dir. Elliott Nugent. Rel. Mar. 15.

**McFadden's Flare.** From the stage play. Walter C. Kelly, Andy Clyde, Jane Darwell. Dir. Ralph Murphy. Rel. Mar. 22.

**Mississippi.** Showboat story by Booth Tarkington. Bing Crosby, W. C. Fields. Rel. Mar. 22.

**Menace.** Three people who live in fear of death. Gertrude Michael, Paul Cavanagh, Henrietta Crosman. Dir. Ralph Murphy. 68 mins. Rel. Oct. 10.

**Mrs. Wiggs of the Daisies.** Talk version of the old favorite. Pauline Lord, Zasu Pitts, W. C. Fields. Dir. Norman Taurog. 73 mins. Rel. Oct. 10. Rev. Oct. 36.

**One Hot Night.** Helen Twelvetrees, Conrad Nagel. Dir. Ralph Murphy. Rel. Dec. 14.

**President Vanishes.** From current sensational novel of same title. Robert Montgomery, Paul Kelly. Dir. Wm. A. Wellman. 80 mins. Rel. Jan. 11. Rev. Dec. 11.

**Pursuit of Happiness.** The From the stage play about bundling. Joan Blondell, Francis Lederer. Dir. Alex Hall. 80 mins. Rel. Nov. 16. Rev. Nov. 16.

**Ready for Love.** Small town romance of an actress's daughter. Ida Lupino. Rel. Jan. 22. Rev. Dec. 11.

**Rock of Ages.** From the stage play. Dean Benton, Phyllis Ludwig, Seven Redd. Rel. Feb. 1.

**Rugby.** Football story. Harry Leon Wilson's story of a butler won in a bridge game. Chas. Laughton, Mary Boland, Chas. Ruggles. Dir. Leo McCarey. Rel. Feb. 22.

**Rumba.** From the stage play. New York boy meet in Havana. Geo. Raft, Carol Lombard, Margo. Dir. Marion Gering. Rel. Feb. 8.

**Scarlet Empress.** The Story of Catherine of Russia. Marlene Dietrich, John Lodge. Dir. Jos. von Sternberg. 104 mins. Rel. Sept. 7. Rev. Sept. 15.

**She Loves Me Not.** Stage play. Girl in college dormitory masquerades as a boy. Miriam Hopkins, Bing Crosby. Dir. Elliott Nugent. 85 mins. Rel. Aug. 10. Rev. Sept. 11.

**Steal a Memory.** Adventure with Ben Bernie's band. Geo. Raft, Ben Bernie, Grace Bradley. Dir. Alfred Wright. Rel. Mar. 29.

**Wagon Wheels.** Western for a Zane Gray story. Randolph Scott, Gail Patrick. 66 mins. Rel. Dec. 16. Rev. Dec. 16.

**Wings in the Dark.** Air thriller with a rescue by a blinded aviator. Myrna Loy, Cary Grant. Dir. Jas. Flood. Rel. Feb. 1. Rev. Feb. 8.

**You Belong to Me.** Stage story with Helen Kelly. Rev. Tracy. Dir. A. L. Walker. 87 mins. Rel. Aug. 24. Rev. Sept. 13.

studios: 1270 Sixth Ave., New York, N.Y.

## Studio Placements

(Continued from page 32)

Goodwin, Gordon Griffith, Vallejo Gardner, William V. Long, George McQuarrie, Sam Flint, 'The Crusades', Par.

Leo Carrillo, 'On Wings of Song', Fox.

Grant Mitchell, 'Redheads On Parade', Fox.

John Owen, 'Heaven's Gate', Fox.

Georgia Caine, 'Dante's Inferno', Fox.

Arthur Stone, 'Gauchito Lovers', Fox.

Lloyd Nolan, 'Farrell Case', WB.

Edna Bennett, 'Reckless', Metro.

Warner Baxter, 'Ketti Gailan', 'Gauchito Lovers', Fox.

James Tinsling, directing 'Gauchito Lovers', Fox.

Henry Johnson, additional dialog, 'Gauchito Lovers', Fox.

Dick Powell, 'Broadway Gondolier', WB.

Bette Davis, 'Lady in Waiting', WB.

Henry Armetta, 'Dinky', WB.

George Chandler, 'Star of Midnight', Radio.

Tammany Young, 'The Glass Key', Par.

Ray Bradley, 'Reckless', Metro.

Wanda Pugh, Leonard, 'The Glass Key', Par.

adaptation, 'O'Shaughnessy's Boy', Par.

Philip Barry, screen play, 'George Washington', Metro.

Harry Tyler, Emma Dunn, 'The Glass Key', Par.

William Crowley, 'Alibi', WB.

Lois Carter, 'Fury', WB.

Cezar Herczeg, screen play, 'Are Men Worth It', Par.

Marlene Dietrich, 'Are Men Worth It', Par.

Grover Jones, scripting 'When William', WB.

William Wyler, 'McNulty', screen play, 'So Red the Rose', Par.

Herbert Fields, adaptation, 'People Will Talk', Par.

Leif Shaprio, 'George Magill', Frank O'Connor, 'Strangers All', Par.

May Boyle, Gaylord Pendleton, 'The Informer', Radio.

Al Guldin, directing 'Tell No Tales', Radio.

Philip Cooper, 'Gauchito Lovers', Fox.

Robert Elliott, 'Behind the Green Lights', Mascot.

Virginia Howell, 'Les Miserables', 20th Cent.

Harry Stubbs, 'Werewolf of London', Par.

J. Carroll Nais, 'Gauchito Lovers', Fox.

Charles Richmond, 'The Glass Key', Par.

Frank Moran, 'The Informer', Radio.

John Hyams, Helen Davis, Lillian West, Charles Bennett, John Beck, 'The Informer', Radio.

Virginia Reed, David Horsley, 'Strangers All', Radio.

Cornelius Keefe, 'The Informer', Radio.

Chester Morris, 'Storm Over the Andes', U.

Niles Welch, 'Richieu', 20th Cent.

Tom Dugan, 'Murder in Grand Hotel', Metro.

John Hall, 'The Informer', Radio.

'G Man', U.

'Tommy Conlon', 'The Crusades', Par.

Basil Rathbone, 'Anna Karenina', Metro.

Henry Armetta, 'Old Age Pension', short U.

James Horne, directing 'Old Age Pension', short U.

Ernest Brown, 'Washington Correspondent', Reliance.

Hugh O'Connell, 'Unconscious', U.

Charles Barlow, Paul Stanton, 'Strangers All', Radio.

Leo McCabe, 'The Informer', Radio.

John Caradine, 'Richieu', 20th Cent.

Big Boy Williams, 'The Glass Key', Par.

John Higgins, writing 'Chic Sale short', Metro.

June Brewster, 'Washington Correspondent', Reliance.

'Dito Guizar', 'Argentina', Fox.

Torcia Lloyd, 'Crime of Sylvie', B.

Sam Godfrey, 'Oil for the Lamps of China', WB.

John Davidson, 'Call Him Savage', U.

Lorh Rader, Gladys Gail, 'Unconscious', U.

Educ. Film.

Tales', Metro.

Tommy Bupp, 'Hooster Schoolmaster', Mono.

James H. Burns, 'Reckless', Metro.

May Boyle, 'The Informer', Radio.

## 'China Seas' Splashes

## Gable on Shore Lane

Hollywood, Feb. 26.

Metro's 'China Seas' will get the work week. Rewriting job by James K. McGilness almost completed.

Picture starts without Clark Gable, who closed on 20th Century's 'Call of the Wild' last Saturday (25). Gable insisted on a two weeks' vacation before returning to his home lot. Will necessitate shooting around Gable for the first time.

(Continued on page 33)

# "IT WILL BE ONE OF THE BOX-OFFICE SMASHES OF THE YEAR!"

Says LOUELLA PARSONS in the Hearst Newspapers!

**"SUPER-ENTERTAINMENT! FOUR STARS! ★ ★ ★ ★**

— EUGENE CHRISMAN, SCREEN PLAY and SCREEN BOOK

**"WILL TOP ALL BOX-OFFICE RECORDS FOR MUSICALS!"**

— HARRY BURNS, HOLLYWOOD FILMOGRAPH

**"SHOULD PROVE A MAGNET AT BOX-OFFICE!"**

— HOLLYWOOD VARIETY

**"GIRLS GORGEOUS, SONGS GRAND, CHEVALIER AT BEST!"**

— RAY LONG, PHOTOPLAY MAGAZINE

**"DAZZLES THE EYE AND EAR! GIVES CHEVALIER  
THE OPPORTUNITY FOR WHICH HE CAME FROM FRANCE  
YEARS AGO . . . AND WAITED TILL NOW TO FIND!"**

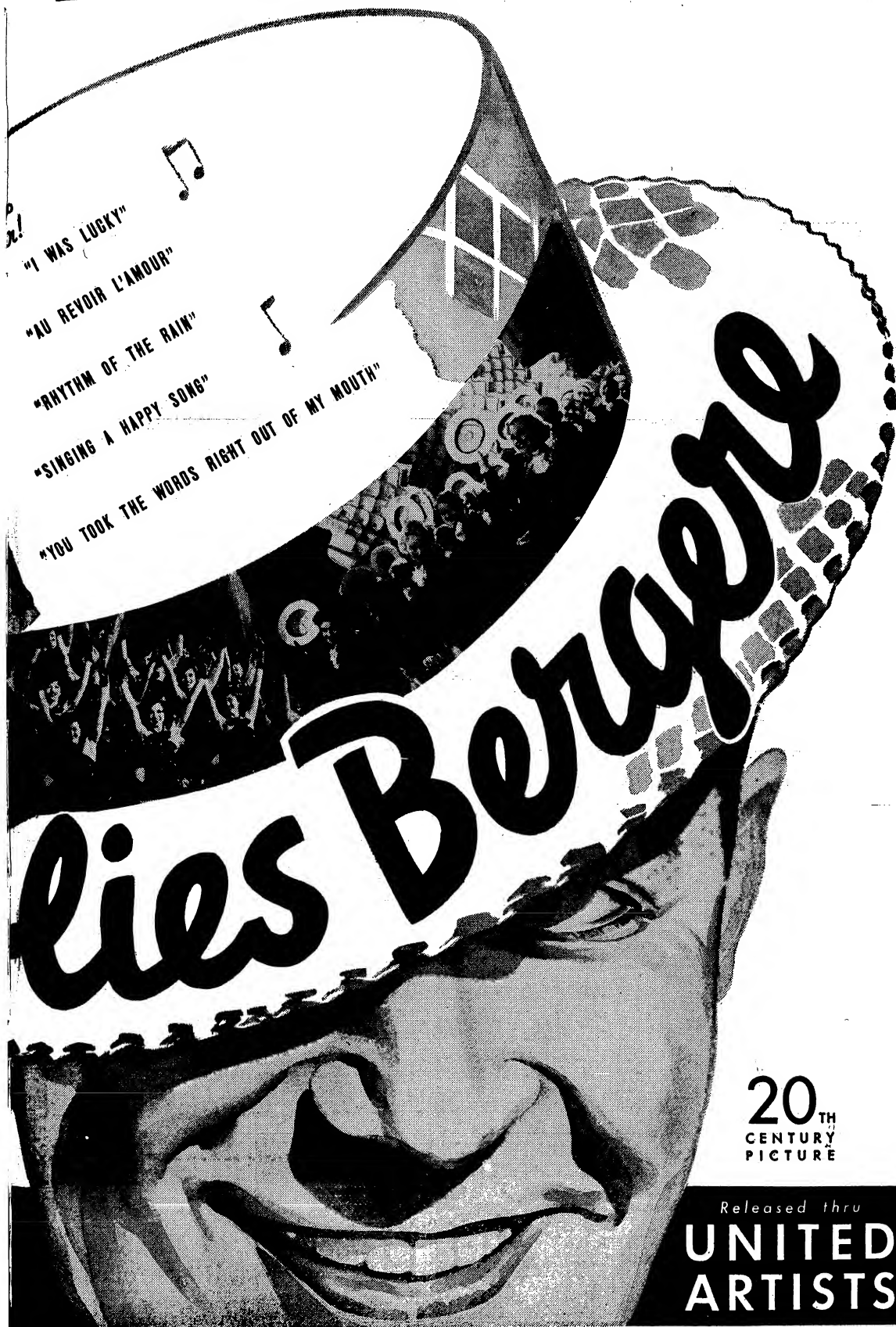
— EILEEN PERCY, PAUL BLOCK CHAIN OF NEWSPAPERS

JOSEPH M. SCHENCK presents  
**M A U R I C E  
CHEVALIER**

with  
**ANN SOTHERN  
MERLE OBERON**

**DARRYL ZANUCK'S PROUDEST ACHIEVEMENT**

*Millions are listening  
these Songs on the air*



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20<sup>TH</sup>  
CENTURY  
PICTURE

Released thru  
**UNITED  
ARTISTS**



# CALENDAR OF CURRENT RELEASES

(Continued from page 36)

medieval castle, love comes to four unhappy English women. Ann Harding, Frank Morgan, Katharine Alexander, Reginald Owen, Jean Hersholt, Harry Dean Stanton, Jan. 25. Rev. Feb. 27.

**Foundation, The.** From the Cling Morgan novel. Ann Harding, Brian Aherne, Paul Lukas, Harry Dean Stanton, Jan. 25. Rev. Feb. 27.

**Gay Divorcee, The.** When Minnie tries to hire a glee she mistakes Guy Holden for the applicant and although they fall in love with each other she will not commit until the confusion is cleared up. Ginger Rogers, Fred Astaire, Alice Brady, Edward Everett Horton, Erik Rhodes, Eric Blore, Dir. Mark Sandrich, 107 mins. Rel. Oct. 19. Rev. Nov. 20.

**Gigolette.** A society beauty who loses all her money and becomes a hostess in a night club. Adrienne Ames, Ralph Bellamy, Donald Cook, Robert Montgomery, Dir. Charles Brabin, 70 mins. Rel. Aug. 31. Rev. Sept. 15.

**Grand Old Girl.** Glorifying the American school teacher. May Robson, Mary Carlisle, Fred MacMurray, Alan Hale, Dir. by John Robertson, Rel. Jan. 18. 71½ mins.

**Gridiron Flash.** A habitual criminal becomes a football hero. at a large university and proves that the essential fundamentals of good are basically present in everybody. Eddie Quillan, Betty Furness, Grant Mitchell, Victor Kennedy, Dir. Glen Tyron, 81 mins. Rel. Oct. 26. Rev. Jan. 22.

**His Greatest Gamble.** A father, in prison for murder, escapes in order to save his daughter from her domineering mother. Richard Dix, Dorothy Wylie, Dir. John Robertson, 70 mins. Rel. Aug. 3. Rev. July 24.

**Kentucky Kerfuffle.** A pair of out-of-work vaudevillians adopt a small boy who turns out to be heir to a large Kentucky estate which is involved in a feud with a neighboring estate. Bert Wheeler, Robert Woolsey, Mary Carlisle, Spanky McFarland, Noah Beery, Dir. George Stevens, 75 mins. Rel. Nov. 2. Rev. Jan. 8.

**Lightning Strikes Twice.** A fast-moving race which comes itself with an amusing twist of identities that result from two young men bringing a fan dancer home by mistake. Ben Lyon, Thelma Todd, Peter Kelton, Laura Hope Crews, Dir. George C. Scott, 70 mins. Rel. Dec. 26.

**Little Minister, The.** The romance of a young Scottish minister and a kinsman girl, who really is the ward of a nobleman of the district. Katharine Hepburn, John Beal, Alan Hale, Dir. Richard Wallace, Rel. Dec. 26. Rev. Jan. 11.

**Murder on a Honeymoon.** The further adventures of the old maid, amateur detective, and her friends. William Powell, William Powell, and Inspector of Police Oscar Piper. This time the murder takes place on an airplane. Edna May Oliver, James Gleason, Lola Lane, Dorothy Libal, Dir. Lloyd Corrigan, 70 mins. Rel. Dec. 26.

**Red Morning.** Adventure in a primitive section of Papua, New Guinea. Staff Duna, Regis Toomey, Raymond Hatton, Dir. Wallace Fox, 68 mins. Rel. Oct. 14.

**Richest Girl in the World.** Wealthy girl seeks non-mercenary suitor. Miriam Hopkins, Joel McCrea, Fay Wray, Dir. Wm. A. Seiter, 80 mins. Rel. Oct. 21. Rev. Sept. 27.

**Romance in Manhattan.** A young Czech-Slovakian enters the United States (this 'promised land') illegally and finds happiness and the chance for a 'successful future'. Francis Fox, Arthur W. Ripley, Arthur W. Ripley, Jimmy Butler, J. Farrell MacDonald, Dir. Stephen Roberts, 71 mins. Rel. Jan. 11. Rev. Jan. 22.

**Silver Streak, The.** A fast-action melodrama in which the famous streamlined train of the Burlington Railroad plays the star part. Sally Blythe, Charles Starrett, Hardie Albright, William Farnum, Dir. Thomas A. Smith, 72 mins. Rel. Dec. 21. Rev. Jan. 22.

**Wednesday's Child.** A fast-paced melodrama about a paroled convict who is involved in saving a beautiful society girl from the town cad. Fay Ray, Ralph Bellamy, Melvyn Douglas, Roscoe Ates, Dir. Phil Rosen, 80 mins. Rel. Oct. 26.

## United Artists Office: 729 Seventh Ave., New York, N. Y.

**Affairs of Cellini, The.** The love life of Benvenuto Cellini. Fredric March, Constance Bennett, Frank Morgan, Fay Wray, Dir. Gregory La Cava, Rel. Aug. 24. Rev. Sept. 13.

**Clive of India.** The story of Clive, who founded a new British dominion—Bolsheviks, 92 mins. Rel. Jan. 25. Rev. Jan. 25.

**Count of Monte Cristo, The.** The famous Dumas' classic about the man who loses and a fabulous fortune and used it to revenge a great wrong. Robert Donat, Elissa Landi, Louis L. Lasker, Sidney Blackmer, Dir. Rowland V. Lee, Rel. Sept. 7. Rev. Oct. 2.

**Kid Millions.** Musical spectacle in the U. S. and Egypt. Eddie Cantor, Ethel Merman, Dir. Norman Krasna, 70 mins. Rel. Dec. 28. Rev. Nov. 13.

**Last Gentleman, The.** Shrewd and edgy millionaire finds the plans of his son to chisel his money away. George Arliss, Edna May Oliver, Janet Beecher and Ralph Morgan, Dir. Sidney Lanfield, Rel. Sept. 21.

**Mighty Barnum, The.** The fictional story of P. T. Barnum. Wallace Beery, Dir. Dolpho Mearns, Virginia Bruce, Dir. Walter Lang, 87 mins. Rel. Dec. 22. Rev. Dec. 22.

**Our Daily Bread.** Disinherited folks from all walks of life begin all over on an abandoned farm. Karen Moray, Tom Keene, and Barbara Pepper. Produced and directed by the same people. Rel. Jan. 11. Rev. Jan. 11.

**Scarlet Pimpernel, The.** From a novel by the Baroness Orczy. Romantic drama, but modern handling. Leslie Howard, Merle Oberon, Dir. Alex. Korda, 85 mins. Rel. Feb. 10. Rev. Jan. 11.

**Transatlantic Merry-Go-Round.** Mystery rides the waves. Music in one room, murder in the next. A gambler, an heiress, a comedian and a detective accused of a crime. 70 mins. Rel. Dec. 28. Rev. Nov. 13.

**Private Life of Don Juan.** Don Juan discovers that, deprived of his name and reputation, he's no greater lover than the next fellow. Douglas Fairbank, Jr., Benita Hume, Dir. Alex. Korda, 92 mins. Rel. Nov. 30. Rev. Oct. 19.

**Runaway Queen.** A merry melodrama of revolution and romance. Anne Nagle and Fernand Gravelle. Dir. Herbert Wilcox, Rel. Dec. 21.

**We Live Again.** A vivid story of the Boer War. 'Resurrection'. Anna Sten, Fredric March, Jane Baxter, C. Aubrey Smith, Dir. Rouben Mamoulian, 85 mins. Rel. Nov. 16. Rev. Nov. 6.

**Studio: Universal City, Universal Office: 30 Rockefeller Center, New York, N. Y.**

**Cheating Cheaters.** From Max March's stage play. Fay Wray, Cesar Romero, Minna Gombell, Dir. Rich. Thorpe, 67 mins. Rel. Nov. 5. Rev. Dec. 11.

**Gift of Gab.** Comedy-drama-musical. Edmund Lowe, G. Stuart and big radio and screen cast. Dir. Karl Freund, 70 mins. Rel. Sept. 3. Rev. Oct. 2.

**Good Fairy, The.** From Ferenc Molnar's stage play. Margaret Sullivan, Herwig Marshall, Frank Morgan, Dir. Wm. Wyler, 98 mins. Rel. Feb. 15. Rev. Feb. 5.

**Great Expectations.** Drama. Henry Hull, Jane Wyatt, Dir. Stuart Walker, Rel. Oct. 22.

**Human Side, The.** Drama. Adolphe Menjou, Doris Kenyon, Dir. Eddie Busch, 80 mins. Rel. Aug. 2. Rev. Sept. 13.

**It Happened in N. Y.** Comedy-drama. Lyle Talbot, Gertrude Michael, Heather Angel, Dir. Alan Crosland, Rel. Mar. 11.

**I've Been Around.** Comedy-drama. Chester Morris, Rochelle Hudson, Isabelle Jewell, Dir. Phil Cahn, Rel. Dec. 21.

**Imitation of Life.** Drama. Claudette Colbert, Warren William, Dir. John Stahl, 118 mins. Rel. Oct. 29. Rev. Nov. 27.

**Man Who Reclaimed His Head.** From the play. Bart's stage play of French life. Claude Rains, Joan Bennett, Lionel Atwill, Dir. Edw. Ludwig, Rel. Dec. 24. Rev. Jan. 13.

**Million Dollar Ransom.** Comedy-drama. Edward Arnold, Mary Carlisle, Dir. Murray Close, Rel. Sept. 16.

**Mystery of Edwin Drood, The.** From the Dickens story. Claude Rains, Douglas Montgomery, Heather Angel, Dir. Stuart Walker, Rel. Feb. 4.

**Night of the Gods.** From the play. Helen Hayes, Alan Mowbray, Thelma Houston, Dir. Lovell Sherman, Rel. Mar. 4.

**Notorious Gentleman, A.** Mystery-murder. Charles Bickford, Helen Vinson, Dir. M. Laemmle, 75 mins. Rel. Jan. 21. Rev. Feb. 24.

**One Exciting Adventure.** Comedy-drama. Eileen Hervey, Neil Hamilton, Dir. El L. Frank, 70 mins. Rel. Oct. 15. Rev. Jan. 1.

**Princess O'Hara.** Damon Runyon comedy. Chester Morris, Joan Parker, Dir. David Burton, Rel. Mar. 18.

**Rendezvous at Midnight.** Murder-mystery. Ralph Bellamy, Valerie Hobson, Dir. Christy Cabanne, Rel. Feb. 11.

**Rocky Road to Dublin.** Book Jones. Dir. Al Raboch. 60 mins. Rel. Sept. 24. Rev. Jan. 1.

**Romance in the Rain.** Comedy-drama of a slum cinderella. Roger Pryor, Victor Moore and Heather Angel. Dir. Stuart Walker. Aug. 19. 75 mins. Rev. Sept. 11.

**Secret of the Chateau.** Mystery story. Claire Dodd, Clark Williams, Dir. Rich. Thorpe, 68 mins. Rel. Feb. 11.

**Strange Wives.** Comedy drama. Roger Pryor, George Clayworth, Dir. Rich. Thorpe, 75 mins. Rel. Dec. 10. Rev. Feb. 6.

**Straight from the Heart.** Baby Jane, Mary Astor, Roger Pryor. Dir. Kurt Neumann, Rel. Jan. 14.

**There's Always Tomorrow.** Drama. Frank Morgan, Lois Wilson, Dir. Ed. Sloman, 88 mins. Rel. Sept. 17. Rev. Nov. 12.

**Transatlantic Merry-Go-Round.** Mystery. Henry Hull, Gene Raymond, Frances Drake, Dir. Ed. Buzzell, Rel. Feb. 22.

**Wake Up and Dream.** Musical. Ray Columbus, Roger Pryor, June Knight, Dir. Kurt Neumann, Rel. Feb. 11.

**When a Man Sings.** Buck Jones western. Dir. Alan Jones. 60 mins. Rel. Nov. 12. Rev. Jan. 22.

**Warner Brothers Office: 321 W. 44th St., New York, N. Y.**

**Big Hearted Herbert.** From the stage farce. Old-fashioned father takes a liking to his son's modern family. Guy Kibbee, Alvin MacMahon, Patricia Ellis, Dir. Wm. Keighely, 60 mins. Rel. Oct. 6. Rev. Nov. 20.

**Bordertown.** Life of an ambitious and magnetic foreign youth in his battle with a crooked American politician. Paul Muni, Etta Davis, Dir. Archie Mayo, 90 mins. Rel. Jan. 6. Rev. Jan. 23.

**Case of the Curious Bride.** Warren William, Philip Reed, Margaret Lindsay, Dir. Michael Curtiz, Rel. Mar. 30.

**Case of the Howling Dog.** The introducing a new film sleuth. Warren William, Mary Astor, Dir. Alan Crosland, 75 mins. Rel. Sept. 22. Rev. Sept. 22.

**Desirable.** Mother and daughter in a battle for love. Joan Muir, Geo. Brent, Verge Tenside, Dir. Archie Mayo, 68 mins. Rel. Sept. 8. Rev. Sept. 8.

**Devil Dog of the Air.** Rolling comedy drama romance of the aviation corps of the U. S. Marines. James Cagney, Pat O'Brien, Dir. Lloyd Bacon, Rel. Dec. 14.

**Firebird.** Murder mystery in Austria. Verge Tenside, Ricardo Cortez, Dir. Wm. Dieterle, 75 mins. Rel. Nov. 3. Rev. Nov. 20.

**Gold Diggers of 1935.** Dick Powell, Adolphe Menjou, Gloria Stuart, Alice Faye, Dir. Norman Krasna, Rel. Mar. 16.

**Kansas City Princess.** Two mid-west maniacs on a jamboree. Joan Blondell, Glenda Farrell, Hugh Herbert, Dir. Wm. Keighely, 64 mins. Rel. Mar. 16.

**King of the Ritz.** Wm. Gargan, Patricia Ellis, Dir. Wm. H. McGann, Rel. Mar. 23.

**I Am a Thief.** Mystery and murder in a diamond theft. Mary Astor, Ricardo Cortez, Dir. Archie Mayo, Rel. Nov. 20.

**Living on Velvet.** Love of a beautiful society girl for a half mad and totally irresponsible aviator. Kay Francis, Warren William, George Brent, Dir. Frank Borzage, Rel. Mar. 16.

**Madame Du Barry.** Drama of the lady who made history sit up and take notice, with comedy twists. Dolores del Rio, Reginald Owen, Osmond Woodward, Verge Tenside, Dir. Victor Fleming, Rel. Oct. 13.

**Red Hot Tires.** Dynamic drama of auto race tracks. Lyle Talbot, Mary Kay, Dir. Archie Mayo, 61 mins. Rel. Feb. 20.

**Right to Live, The.** Romance in which two brothers love the same woman and one ends his life so that his wife can find happiness with the other. Barbara Stanwyck, Colin Clive, 68 mins. Dir. Wm. Keighely, Rel. Jan. 26. Rev. Feb. 20.

**Secret Bride.** The thrilling drama of political intrigue which results in two baffling murders and a suicide. Barbara Stanwyck, Warren William, Dir. Wm. Dieterle, 64 mins. Rel. Dec. 22. Rev. Feb. 5.

**St. Louis Kid, The.** James Cagney, Patricia Ellis, Dir. Ray Enright, 68 mins. Rel. Oct. 10. Rev. Nov. 6.

**Sweet Music.** Rudy Vallee, Ann Dvorak, Dir. Alfred E. Green, Rel. Feb. 28.

**White Cockatoos.** The detective yarn, Joan Muir, Ricardo Cortez, Dir. Alan Crosland, 72 mins. Rel. Jan. 13. Rev. Jan. 13.

**While the Patient Slept.** Aline MacMahon, Guy Kibbee, Dir. Ray Enright, Rel. Mar. 8.

**Woman in Red.** Young wife faces scandal to save a man from conviction of murder. Barbara Stanwyck, Gene Raymond, Genevieve Tobin, Dir. Robt. Florey, Rel. Feb. 16.

## Miscellaneous Releases

**Are We Civilized?** (Raspin). Propaganda for peace. Dir. Edwin Carewe, 70 mins. Rel. June. Rev. June 19.

**Battle, The.** (Gargantua). French-made story of a Jap naval officer who sacrifices himself to save the world. Robert Montgomery, 72 mins. Oberon, Dir. Nicolas Farkas, 60 mins. Rel. Nov. 20. Rev. Nov. 27.

**Blue Steel.** (Blue Star). John Wayne Western. Dir. R. N. Bradbury, 64 mins. Rel. July. Rev. July 11.

**Crowded Out.** Comedy story of a down and out surgeon who performs a skilled operation. Frank Craven, Sally Blane, Dir. Wm. Nigh, Rev. July 10.

**Dancing Queen.** Gigolette story. Reginald Denny, Judith Allen, Dir. Al Ray, 64 mins. Rel. July. Rev. July 24.

**Dealers in Death.** (Tropical Film). Arrangement of mutilation matters. Mostly news clips. Dir. Wm. Nigh, Rel. Dec. 15.

**Fighting Trooper, The.** Canadian police story. Kermit Maynard, Barbara Worth, Dir. Ray Taylor, 63 mins. Rev. Jan. 8.

**Hit Tiki (Markey).** Samoan native story. 73 mins. Rev. Feb. 5.

**Hollywood Reporter.** (Markey). Story of a temperamental director and a racketeer. June Clyde, Frank Albertson, Dir. Bruce Mason, 63 mins. Rev. Jan. 22.

**'I Can't Live Without You.** Ex-convict goes straight. Onslow Stevens, Lila Lee, Dir. Otto Brower, 63 mins. Rev. Sept. 3.

**Inside Information.** (Stage and Screen). Detective reporter and a dog. Rex Bell, John H. Hays, Dir. Robt. E. Hill, 38 mins. Rev. Jan. 11.

**Man from Hell, The.** (Marcy). Western. Bob Russell, Dir. Lew Collins, 60 mins. Rev. Oct. 2.

**Marrying Widows.** (Tower). Young widow gets her wish. Judith Allen, Minna Gombell, John Mack Brown, Dir. Sam Newfield, 67 mins. Rev. Sept. 3.

**Ticket to Crime.** (Beacon). Comedy detective story. Ralph Graves, Lois Wilson, Dir. Lewis D. Collins, 68 mins. Rev. Dec. 26.

**War is a Racket.** (Eurelia). Paste up of newsreel clips with some new material. 14 mins. Rel. Dec. 15.

**Young and Handsome.** Studio story with the Wampas' baby stars. Young and Handsome, Judith Allen, Dir. Jos. Santley, 63 mins. Rel. Sept. 2. Rev. Sept. 25.

## Miss Exhibs Prepare

### For Strife on Tax

Jackson, Miss, Feb. 26. Rebellious against the 10% amusement tax on theatres, exhibitors are preparing to fight in politics. This is an election year, with a new legislature and a new governor to be elected. Series of district meetings will be held throughout the state to organize exhibitors. Hope is to have it: tax either removed or reduced.

## HOUSE LOSSES \$32

Baltimore, Feb. 26. Diane theatre, nabe Negro grid, was robbed of its night's receipts (Friday) (\$22). Amount \$32. Thief was not caught. Cashier was forced to hand over the coin as the bandit demanded the dough, fired a pistol twice and ran. Police declared the thief must have used blank cartridges as no bullet holes were found.

## STALL CH HEARING

### ON ASTOR 10c CASE

Chicago, Feb. 26. Another postponement in the long-awaited suit of the Astor theatre vs. the circuits and exchanges in Chicago occurred on Friday (22) with the Judge setting the hearing for tomorrow (27). Immediate injunctions restraining the circuits and exchanges from withholding service on the theatre if it runs for 10c or double features major product.

Amusements are exempt from taxation under the sales tax proposals which Gov. Hoffman has placed before the New Jersey Legislature in an effort to raise \$14,000,000 for relief purposes.

# SEN-EXHIB'S

## CENSOR BILL

St. Louis, Feb. 26.

BILL providing for a state board of picture censors for Missouri has been introduced in the Senate by John P. Shea. (D), local theatrical manager. Board of three would be appointed by the governor and each member would receive \$4,000 a year. It is estimated that the expense of the board would be covered by a film inspection fee of \$5 a reel and a fee of 50c for the inspection of advertising matter.

## MINN. COURT TOSSES OUT EXHIBS' SUIT

Minneapolis, Feb. 26.

Public Northwest circuit and local film exchanges, including Paramount, RKO, Fox, Warner Brothers, Universal, United Artists and MGM, were cleared of a charge of conspiracy in restraint of trade when Judge L. J. Wall at Sioux Falls, S. D., dismissed a \$7,500 civil suit against them.

The plaintiff, Richard H. Wagner, Sioux Falls, S. D., sought the damages, alleging the Public Circuit and the Paramount exchange had entered into a conspiracy with the other distributors, and that, as a result, the distributors had refused to supply him with films or enter into any contracts with him.

After Wagner had presented his testimony, over an eight-day period, counsel for the defendants asked for a dismissal on the ground that there had been no evidence to sustain the allegations. The judge granted the motion and the court ordered Wagner to defray the costs.

## Mass. Theatre Men

### Sidetrack 3 Bills

Boston, Feb. 26.

Massachusetts theatre operators, through Allied Theatres of Mass., have stifted three bills in the State Legislature.

First to be postponed for a year was a bill for an admission tax, tucked away in a plan for excise tax on tobacco products and beverages. The Legislature plan called for 5c on the first 50c and 3c for each 10c thereafter.

Two other bills, similar in nature, proposed that statutes require either local authorities or a religious group in each community to issue certificates on all films to be shown to children. On pictures not okayed by these local certification boards, no children would be allowed to enter the theatre involved.

## Storey Quits WB

Hollywood, Feb. 26.

Jack Storey, chief booker for Warner's theatres on the Coast, resigned Saturday (25).

Has two deals in the fire.

## LAMONT ESTATE'S \$125,000

Trenton, Feb. 26.

Assets of approximately \$125,000 remain in the personal estate of Russell H. Lamont, late part-owner of Trenton theatres, according to an accounting presented in Orphans court here. Lamont died in 1923. He had a financial interest in the Greenwood, Princess, Victory and Rialto theatres, as well as a former theatre on the outskirts of Trenton.

Reports show total receipts of \$161,799 and expenditures of \$35,289 during the five-year period, leaving the \$125,000 balance in stocks and cash.

## JERSEY DOG TRACKS AGAIN

Trenton, Feb. 26.

Members of Allied of New Jersey in session here last Thursday (21) voted vigorously in opposition to the bill before the Legislature permitting pari-mutuel betting at dog tracks. They favor a second bill which would forbid the four Jersey tracks to reopen as dog tracks.

Gov. Hoffman addressed the theatre owners, thanking them for their co-operation in the safety campaign which used films on auto driving.



**I**N a new field, in the space of only a few weeks, **THE MARCH OF TIME** has made a new impression—fresh—deep—clear cut. More than a thousand motion picture theatres are now showing **THE MARCH OF TIME** on the screen. Millions of people

have thrilled to this new kind of pictorial journalism . . . The public and critics alike have been quick to recognize in this "newsmagazine of the screen" a mark of distinction for theatres from coast to coast. The second March of Time releases March 8th.

*Released by* **FIRST DIVISION**—Harry H. Thomas, Pres., Radio City, N. Y.

# THE MARCH OF TIME

# 'RUGGLES' SMASH CROWDS TURN UP THE WIRE

**Miami Beach**

THOUGHT YOU WOULD BE INTERESTED IN KNOWING THAT RUGGLES OF RED GAP OPENED IN COLONY THEATRE MIAMI BEACH YESTERDAY TO THE BIGGEST GROSS THIS THEATRE HAS HAD STOP AUDIENCE REACTION TO THIS OUTSTANDING COMEDY WAS SO GREAT THAT THE CONTINUOUS LAUGHTER DROWNED OUT A LOT OF LAUGHS IN PICTURE STOP THE ONLY OBJECTION TO RUGGLES IS THAT YOU PUT TOO MANY LAUGHS IN IT WHICH MAKES IT IMPOSSIBLE FOR AUDIENCE TO GET THEM ALL STOP HOWEVER WE WISH WE HAD MORE SUCH OBJECTIONS TO OFFER STOP THE BUSINESS BEING ACCORDED RUGGLES SUSTAINS OUR CLASSIFYING RUGGLES AS BEST COMEDY IN YEARS STOP AM OF COURSE GIVING IT PREFERRED PLAYING TIME=  
E J SPARKS,

**Denver**

RUGGLES OF RED GAP OPENED DENHAM EXCEPTIONALLY FINE BUSINESS STOP THIRD DAY THREE HUNDRED ABOVE OPENING STOP AUDIENCES REACTION MARVELOUS BIG BURST OF APPLAUSE EACH PERFORMANCE AFTER LAUGHTONS INTERPRETATION LINCOLNS GETTSBURG ADDRESS STOP FEEL CERTAIN PICTURE WILL BE HELD SECOND WEEK STOP ENTIRE TOWN TALKING REGARDS=  
HUGH BRALY DISTRICT MANAGER.

**Toronto**

RUGGLES OF RED GAP OPENED UPTOWN THURSDAY TO BIGGEST CROWDS IN MONTHS STOP NECESSARY TO RAISE SOUND VOLUME TWO STAGES AFTER FIRST SHOW TO GET ABOVE THE HILARIOUS HOWLS OF THE CROWDS LOOKS LIKE EXTENDED RUN=  
TOM DALY MANAGER UPTOWN THEATRE

# RUGGLES OF RED GAP

CHARLES LAUGHTON MARY BOLAND CHARLIE RUGGLES ZASU PITTS

A Paramount Picture From Harry



# Variety House Reviews

## STATE, N. Y.

(Continued from page 22)

as anyone was Gertrude Niesen. In the keystone position she stopped the show in the eight minutes allotted.

George Givot, co-headliner, whose 14 minutes was the longest act, came next, but couldn't get started at the last show until he beckoned Miss Niesen to come out into the spotlight. Audience just clapped hands again but Givot's smile and good nature finally quieted the customers after his 'sharup' also the nose-thumping foolery failed.

The Greekologist was the sole laugh getter of the evening, but had trouble. When finally in stride, a woman who screamed when she laughed helped no little. She's evidently a plant.

It was about 50-50 for the two singles. Miss Niesen working with a stage mite probably did not know how much volume was coming through the p. a. system. Tones seemed so loud that her voice should have reverberated back to the stage. More modular tones of which there were few in the short routine, came over much pleasanter.

The Danny Dare Dancers, closing, excellently spotted and especially suited to the show because 'Copperfield' has no music nor girls. Opening Spanish tap number is a pip, so is the wind-up with ensemble adagio stunts worked in. Terry Lawlor was allotted one song shot and the touchy redhead delivered. Turn ran about 12 minutes and good all the way.

Five Janaleys open. Ace risley components probably were not cut, for

they give quickly and skip off. Russell Marconi and Jerry are in the deucer. It's a musical and hoofing turn that serves well in the spot.

## CENTURY, BALTO

Baltimore, Feb. 22.

The ropes were up at first show, opening day. Schools were holidayed because of Washington's birthday, and consequently it seemed the burg must have been drained of every last kid by presence of Jimmy Durante on the boards. House was about half kids and half females. Feature is 'After Office Hours' (MG). Between the Schmozzola personation and Clark Gable on the celluloid, house should hang up a sweet gross for the week.

Show runs 70 mins., not particularly long for this spot, but seems so. The bill doesn't sum up into a sparkling result, despite reception it got at performance caught. Opens with Janet May doing her fine foot and hand hangs and gym rings routine. Closed strongly by wheeling off 57 one-armed body spins a la late Lillian Lottzel.

In number two are Lorraine & Digby, knockabout duo, who adequately handle the assignment. Miss Lorraine is the key by virtue of her comedy, with the male partner giving ace support. Patter and eccentric hoofing are also indulged in to brace the knockabouting.

Next, Harry Kahne, first chalk-talker to play this spot in about three years. The kids in audience warmed at start, but interest rather

waned before the 20 mins. turn had ended. Kahne's trigger-thinking was bit too difficult to follow and check for this mob, so they gave up and let gaze wander rather than exert minds.

Durante whirled on in the next-to-shut, and got a shade more palm-poking and a few more 'm' when exiting. On for 21 mins., but so much of it was stalling it deflected itself slightly. Plainly, he didn't have an act planned to correspond with what hit his mind at the moment, and it made it rather a jumble on the whole. Gags were too old, also, which didn't help matters any. He has Lou Clayton along with him, but all it did was to add two tap steps across the stage and off.

Closing is the Frances Willis' revue. This one omits talents of Joe Rio and a male dancing trio, Three Ambassadors. Single set in full, in black and white. Opens with group on bar song and strut number, then rest scamper and Miss Willis goes into her acrobatic routine. Followed by Ambassadors for quietly standard rhythmic tapping chore, then Rio has his innings with a rule in black and white. Willis again for a solo effort, then group gangs up and does the Continental, led by the all-around partner with Rio. It's an average starter or finisher for any bill.

Harry Hammond's organolog preceded the stage show.

## HIPP, TORONTO

Toronto, Feb. 22.

Changes going into effect here make 'Wild Oats' Revue in 'Tempo' a vastly different show since its opening. New acts joining up in Toronto to replace Brown and Sally Payne. Out of the personnel are The Fonzals and Rosemary Dering.

Current week marks Osborne's first engagement here since he left the home-town to turn pro. Usually the local angle isn't played by the Shea management, feeling that, on past experience, it's bad for business. This time splash ad plus 'Toronto's Favorite Son'. Osborne brought out the home town spirit and got a grand reception on his entrance from a jammed house opening night.

'Revue in Tempo' is now an ambitious melange of music, comedy, song, dance and rough-house aptly substantiating the unit's tag. Tealak scored heaviest response of the evening, stopping the show with his frantic attempts to keep his 'fantasy' covered by two diminutive fans, a la Sally Rand. His later knockabouts with Bill Brown and Sally Payne, latter a plump and personable redhead, served further to clinch.

Conventional opening has the band in full stage on three tiers before a modernistic setting of black and silver. 12-girl line casing on after the band's 'Roberta' (picture) medley. Girls are also in black and silver scanties for a Harlem low-down and back for first-half closer and again in second for finale. Girls work hard for the four-act changes, but their recitations in 'concerto can be dropped. It's unintelligible anyway and a break in tempo. With the show running 64 minutes when caught some time can be saved here. Julianna on for two solos on toes, with line-girl back-ground.

With an eye on the local build-up, Osborne gives the natives a 'Maple Leaf' finale that is a nice sight-and-sound flash. Comedy handled by The Duponts, clowning and nonchalant juggling. Jack Doungs, radio comic and Tealak-Brown-Payne.

Band got over nicely, particularly on a 'Turkey in the Straw' symphonic arrangement and in the 'British Grenadier' march with Sousa's 'El Capitán' finish, with girls on for military taps and formations in abbreviated band-master costume conceptions. Osborne warms three or four times to road response, conducts quietly and never forces.

## STANLEY, PITT.

Pittsburgh, Feb. 22.

WB deluxer will have to rely chiefly on Rudy Vallee on screen in 'Sweet Music' (WB) to bring 'em in this week. Stage has N. Y. G.'s 'Paradise Cafe' revue, but N. Y. G.'s name means nothing around here and there's nobody in the line-up with b.o. value.

Show throughout is a tepid affair, displaying nothing out of the ordinary and the only novelty is Mona Leslie, the 'woman in bronze'. But even that's no novelty any longer, too many second and third-raters have been doing the same thing in night clubs all season. What's more, the N.Y. presentation, as stage entertainment a la cafe, suffers by comparison with Casino de Tuxedo unit at Penn only a couple of weeks ago.

Chorus routine starts it off and then Eddie Stanley, who doubles as m.c. and chief comedian, steps out to introduce a few undressed females whom he announces as prize-winning beauties. Only one of them then look the part. Followed by Vaneesi, who makes the most of a bad spot but revs nothing except her exotic torso-wigging. Maybe management is holding her

down, or maybe she's holding herself down.

First lively moments of the proceedings are injected by Frank Conville, a hole comedian who registered easily. By time he came on, house was ready for a good chuckle and Conville didn't let 'em down. He brings on an attractive femme stooge, Sonny Dale, who takes a lot of punishment good-naturedly and of endless variety. Other than Comic finishes up in Chaplin garb and gets off some okay pantomime in a time-dance-joint routine with the gal.

Production number has line doing an Indian routine, with May Joyce warbling from an offstage mike and later coming on for rendition of 'Last Round-Up'. At the end, 'woman in bronze' comes on for a few minutes of control stuff. Next-to-closing has Stanley in his comedy specialty. In which he's assisted by Miss Joyce. Stanley's turn is a mixture of everything, but he's a personable clown and manages to get it over okay despite a lack of coherence in material.

Finale is that of a nite club interior, fine suggestion of the cafe atmosphere, with the cast draped about the stage. A number of specialty bits and Eddie and Betty in a skating turn, are injected here.

Incidentally, Vallee himself has been getting more billing off the screen than around here. Seems that everybody hitting town who's ever appeared on the Fleischmann hour is billed as 'late star of Rudy Vallee's Fleischmann Hour'. Last week, it was Bobby Gilbert at the Alvin; this week Eddie Stanley here.

No overtime at first show. This afternoon, with band playing entire show from pit. Business way off, with downstairs less than half full.

## MEMORIAL, BOSTON

Boston, Feb. 22.

This week's show is lightweight compared with the other three weeks of the Jubilee Month, now ending. Obviously, the house at the talent budget because there's some screen lure this time, 'The Good Fairy' (U).

When all is said and done the bright spot of the bill is Irene Beasley, from radio, who gets top bally, and deserves it. A charming vocalist, she comes in a sort of deuce spot on the program; although Vic Oliver, as m.c., takes plenty of time for a session of gaze, with and without his femme partner, between the opening act and Miss Beasley's spot. Oliver's partner takes a television scene, which serves to introduce the singer.

Miss Beasley, attractively attired in a white long-tunic gown, radiates charm that immediately projects over the foots to the last row of non-shelf seats. A charming vocalist, she is a medley of pops, and it puts her on first base. She clinches it with her following routine. A male pianist is in accompaniment.

Next best bet on the bill are Cassa,

Mack, Owen and Topsy, next-to-closing. This mixed quartet has been seen before in Boston this season at the Orpheum. They were really well done. It's a ballet act of their fast-moving, screw tumbling and expert hoofing. A bright spot in the lineup.

The Chalkens open the show, in full, with an unusual routine for vaude, but, nevertheless, thoroughly entertaining because it is exceptionally well done. It's a ballet act of two girls and two boys. All are noticeably clean-cut, and the boys are talented enough to get away with their pinettes and petits battements.

Vic Oliver takes the trey for himself. Oliver changes his suit three times during the show, calling attention to that feature of the act, which, after all, is one of the outstanding novelties in his routine; he chuckles dryly after each quip; reveals in untidy raw gags; but he did get warm response for his classical piano solo, diked up with all the business of a concert hall artist. Oliver comes nearer to slowing up the show than speeding it.

Eddie South and ork, colored band of eight men, close. South himself is the stand-out in the band. Band is almost entirely un-Harlem, but the boys go to town with 'Sweetie

Next week house goes back to straight film policy, with promise of another month of vaude later in season. Capacity bit.

## Mascot Clears Way

Hollywood, Feb. 26.

'Anything Once' and 'One Frightened Night' get the right of way as next at Mascot. Follow the currently working 'Behind Green Lights'.

'Waterfront Lady' has been temporarily cradled to clear for the aforementioned two. John Rathmel is hustling script on 'Anything Once' for supervision by Sam Jacobson. James Gruen is preparing script on 'Frightened Night' for George Yohalem's supervision.



## In Person

## On the Screen

**PARAMOUNT, NEW YORK**  
(This Week, Feb. 22)

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A SECOND WEEK  
MARCH 1

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To

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(OF THE PARAMOUNT THEATRE)

And My Representatives

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**GOMEZ AND WINONA**

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INDEFINITELY

HELD OVER 2ND WEEK

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CENTRAL PARK CASINO, NEW YORK

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## Indifference of Radio Players Cited by Equity Officials, but Others Blame Lax Policies

Actors Equity association's officers state they have found the radio class of performer to be apathetic towards organization, whether formerly Equityites or not.

Last summer Equity announced that all back dues claims against members now in radio would be dropped and that such members could place themselves in good standing by the payment of a flat fee of \$10. Less than 25 legita now in radio returned to the fold out of between 500 and 700 members who turned to the microphone when stage jobs became scarce.

Not Aggressive? Those who contend that Equity has been sitting still instead of seeking domination of the radio field, counter officials contention with the claim that no real effort was made to regain the straying radio contingent. They argue that a mere announcement in Equity's house organ was insufficient and declare that Equity workers been assigned to the radio studios the result would have been different.

There seems to be a feeling among some radio artists that organization might crimp rather than advance "mike salaries." For that reason they prefer to deal as individuals. However, Equity's revived interest in radio is of wider scope than originally planned. It is proposed that all radio crafts be organized, with Equity seeking a working agreement with the others.

## SHOWMANSHIP DISCIPLE AT CBS

George Blum replaced Paul W. Kesten as CBS' director of sales promotion. Blum's coming from the E. J. Hammerberg & Co. Newark department store, where for two years he headed publicity and sales. Store operates WOR.

Blum's radio promotion post became vacant when Kesten was named CBS' executive v.p. Prior to becoming a department store exploiter Blum was in show business. He is now showing circus stunts in Newark. His appointment to an important post may presage a more sympathetic attitude towards showmanship by Columbia.

### Joe Cook Set

Joe Cook and B. A. Rolfe have been signed for the Goodrich Tire 46-minute show which unrolls on the NBC blue (WJZ) March 8. In either case it's a 39-week contract.

Cook and Rolfe replaced Doc Rockwell and Ted Lewis who withdrew last week from the 'Circus Night in Silvertown' idea as the result of a dispute over billing.

### Armstrong May Retain Bacher as Producer

F. W. Armstrong's agency of Philadelphia has been secured for a producer to handle the Campbell Soup show, which originates from Hollywood, Friday nights. Among those with whom the proposition has been discussed is William Bacher, director of 'The O'Flynn' frame which winds up its run on CBS this week. Nothing definite was reached with Bacher.

### Heitmeyer to Ogen

Hollywood, Feb. 26. Paul R. Heitmeyer has left the promotion manager berth at KNX to become general manager of KLO, Ogen, Utah. He is succeeded at KNX by Arthur Kemp, former commercial manager at KHX here.

### Rates on Request

Local station which recently changed hands prepared new rate card. Included in the rough proof but not in the final release was a clause reading: Spot announcements—rates on request. Station had temporarily forgotten all about the radio code.

## GOVT. AMENDS ITS PLEA IN RCA SUIT

Wilmington, Feb. 26.

Government attorneys yesterday (Monday) filed an amendment to the pleading in the RCA case asking adjudication on foreign phrases not covered by the consent decree.

Filed down by Judge John P. Nields last year. Contracts of RCA, and its co-defendant subsidiaries and affiliates, to establish and maintain radio circuits for transmission between the United States and foreign countries, was left out of the consent decree to be settled later. Lengthy hearings look to be scheduled for this summer.

RCA and RCA communications were to seek modification of the contracts. Government charges the two companies have not been diligent in this. The court is asked to decide either that the contracting parties are not bound or the contracts are illegal.

Amendment is filed without opposition. The defendants agreed to file an answer in April and June is tentatively set for the hearing.

## Prime Minister Speaks Out

### Canadian Radio Commission Will Not Be Abolished, Declares Bennett

Toronto, Feb. 26.

Amid a barrage of widely-circulated reports here that the Canadian Radio Commission was to be abolished because its policy had proved unsatisfactory, Prime Minister Bennett definitely ended the heated controversy by stating that the Canadian Government has no intention of dismissing the Federal-appointed Commission and turning the Canadian ether back to privately-owned stations.

Prime Minister only broke his consistent silence on the subject because the Canadian Radio Commission, in the past few days, had become a political football to a greater extent than in its particularly checked past.

Admitting that a great body of public opinion had grown up in Canada at variance with his own opinion regarding the nationalization of radio, Bennett was emphatic in stating that the Commission will continue to control the air.

Despite the fact that the Government selected a Commission and left it to the working out of the public ownership of radio, the fact is a very evident fact, too, that the Government is blamed for its administration, and political capital is made of the manner in which it is administered," he said. Chief criticism levelled against the Commission is dissatisfaction with the service, particularly in the West and the Maritimes. It is also charged that stations promised have not been established. Changed wave-lengths in Canada have also retarded the free listeners in certain areas. Obsolescence of radio equipment is reputed to be heavy, with the Government not prepared to authorize expenditures.

Lack of funds was not the prime reason for the failure of the

## CHORUS EQUITY AS WEVD TALENT FOUNT

WEVD, New York, is auditioning professionals who are members of Chorus Equity for a new midnight program. Membership cards are necessary in trying out at the station.

Pat Mann, former Equity member, now in radio, conceived the idea to offset the flood of amateur hours. Starting time is slated within next two weeks.

### NBC EXPLAINS

Fitzpatrick, Patt, Krause, Trammel in Huddle

Cleveland, Feb. 26.

John Patt and Elmer Krause of WGAR are back in Cleveland after Detroit conference with Leo Fitzpatrick of WJZ and Niles Trammel, NBC vice-pres. Reason for conference was new contract and schedule of rates, whereby both WGAR and WTAM in Cleveland will get an increase of 15% in fees for carrying network commercials, but giving NBC first choice on all preferred evening hours.

Later clause causing most of the dissension, with Patt reported working for a signature until problem is worked out more to his station's advantage.

San Antonio, Feb. 26.

New NBC contract was penciled by High Road, WJZ and WGAR. WOAL, web's \$50,000-watt local affiliate. Signaturing effected upon second visit of chain's station relation rep who is contacting the southwest affiliates. His first visit was a week ago.

Station opinion is that new paper is not all that could be desired but at the same time is not without some consideration for the out.

### Wonders in Philadelphia

Philadelphia, Feb. 26.

Ralph Wonders, head of the CBS Artist Service, in town last week-end for a look at the local misery situation. Wonders' bureau is preparing to invade here for a grab. First pencilings went to Jack Lerich's Cafe Marguery in the Hotel Adelphi, with Betty Randall and Vera Van set for March and April dates.

## Stormy FCC Sessions This Week as Hearst WINS Request Draws Fire

### A Promise

Birmingham, Feb. 26.

Like a bonafide father WGN is advertising in its newspaper space that the "Top of the Morning" program has no hill bills.

Ad reads: 6:30-7:30 a. m. (daily)—"Top of Morning" program. Refined entertainment, full of good morning cheer. (No hill bills!)

## STORER SEEKS MIDWESTERN SPOTS

Chicago, Feb. 26.

American Broadcasting system (Storer) is reported seeking coverage in seven or eight midwestern spots. Jerry Akers, who promoted the so-called Affiliated network, which never materialized as a reality, offered 18 stations to Storer, but this is understood to be cold.

That was about 35 more than Storer wanted, and a demand of \$1,800 monthly wire charges each which the station had expected the network to absorb, ended the talk. Report indicates George Storer as personally offering to buy WOWO, Fort Wayne. That would, of course, be added to chain. It's a 10,000-watt.

Out of the 18 stations offered as a unit to ABC by Akers only spots attractive to ABS were Indianapolis, Evansville, Springfield, Poyntette, Eau Claire, Oshkosh, Sheboygan. Difficulty over the Evansville spot due to the fact that WGBF there won't go ABC unless WBOV in Terre Haute is also included in the deal.

## EDWARD MacHUGH IN IMMIGRATION JAM

Boston, Feb. 26.

Edward MacHugh, singer, appeared on NBC red net, from WBZ, Boston, was arrested at the studio following his Tuesday morning (19) broadcast of hymns by immigration authorities on a charge of entering the United States illegally.

Immigration Inspector Wesley Barrett parked outside the studio door, waiting for the religious warbler, planning to apprehend him before he started his broadcast. But after a parley with MacHugh he played ball to the extent of waiting until the 15-minute song session was over. MacHugh was released in \$500 bond the same day, pending a future hearing on his case at a date not yet announced.

Warrant alleges that MacHugh, a Scotchman, entered the United States in 1922 over the Canadian border without observing certain immigration formalities. It further alleges that he left the country and returned again, illegally.

MacHugh was arrested. MacHugh was propelling himself in a wheel chair as a result of injuries sustained in a fall a few days ago.

### KIDDING 'VARIETY'

All-American Program a Terrible Bust in London

London, Feb. 11.

All-American program over the British Broadcasting System was pretty much an all-time low. It just floundered and flopped. Not particularly the fault of the American tars. Just the way it came over.

There have been all-American bills from time to time in London music halls and they've clicked. But the idea when transferred to the radio was a flop. Variety is taking some kidding on the all-American program as a member of its London staff straying from reporting trade news is accused of having made the original suggestion that blossomed into the beautiful cabbage.

Washington, Feb. 26.

Hot tiff over Hearst efforts to get prominent place in the New York City radio picture was under way before Federal Communications Commission today. Fight developed at hearing on petition for special authority to boost power of WINS from 500 to 5,000 watts and go from limited to unlimited time.

Parade of attorneys, engineers, and intervenors was on hand to protest against granting of the Hearst plan. Half-dozen other stations in greater metropolitan area were slated to testify while opposition included David Stern, publisher New York Evening Post and major Hearst rival, and Brooklyn Eagle, which wants an air outlet on its own.

Hearst WINS plan is linked with petition for more time on the 1130 channel for WJGZ, Minneapolis, which now operates limited hours with 5 kw until sunset and 1 kw nights. No change in power sought by Minneapolis station.

Tom J. White, Hearst's radio delegation before FCC.

Philadelphia, Feb. 26.

A "tie-up" effected last week-by WFIL with Governor George Earle of Pennsylvania, in series of monthly fireside talks via a state-wide web is construed here to mean the first step in swinging David Stern, newspaper publisher, toward radio. Network carrying the official messages includes WPH, Harrisburg; WGBI, Scranton; KDKA, Pittsburgh, and KFLH here.

Controlling the Philly Record, the New York Post, and the Camden N. J. Courier and Post, Stern is recognized as the unofficial Democratic spokesman in Pennsylvania. It is believed that the Governor's talks will augment particular editorial policies of the Record.

Some months ago the report was that the Stern papers would on an about face on the ether question, with the possibility of the publisher buying a local radio outlet. Following this came the word last week that the New York Post, through its business head, Jake O'Manney, was seriously flirting with WOR for a tri-state promotional build of the four papers.

## AUDITIONS TO BE KINDER AT NBC

NBC auditions will be regulated more sympathetically in the future under a new set-up by D. S. Tutball, general sales manager for artists' service. Personnel formerly engaged in this work for the program department is switched over to the artists' service direct. Affected immediately are Ernest C. Collins and Anne Taylor, who go on the artists' service payroll.

Talent is to be given a much fairer chance at rehearsals. Directors will be on hand to coach and give pointers to newcomers. It is hoped that this valuable aid will serve to break down the usual microphone-fright and tense atmosphere which frequently mars a tryout.

Heretofore auditions have been swamped with aspirants submitted by relatives, clients, etc. Opinions of radio scouts to be given more consideration under the new plan. This undercover group will have more leeway in searching for material.

### Camel on Until June

Camel show as it now stands will continue over CBS to June 27. Extensions of 13 weeks each, effective April 2, are given Annette Henshaw and Walter O'Keefe last week by the R. J. Reynolds Co. through the William Esty agency.

Chas-Loma band's contract required no renewal, since its original term was for 26 weeks.

# DRIVE YOURS FROM CBS

## Agreement to Divvy 970 Clear Channel Four Ways Reported

Washington, Feb. 26.—A third commercial row over maintenance of the existing clear-channel policy was in the offing today as pressure was applied to the Federal Communications Commission to break down the 970 kc channel into four high-power regional frequencies.

With two applications for permission to use this frequency on file, commission seemed headed for a series of scraps over the clear-channel principle, which will bring serious political reverberations and possibly congressional action.

An undercurrent agreement for divvying of the 970 channel was reported to have been reached by Amos G. Carter, bigshot Democrat and leading Texas publisher; Hearst Radio; and the Chicago Federation of Labor and was said to have the endorsement and approval of KJR, Seattle, technically the sole broadcaster entitled to use this frequency. Agreement was reliably reported to have been submitted to the communications commission, although the officials indignantly denied receipt of such a document.

**Ft. Worth and Albany**

Three applications affecting the 970 channel are pending in the commission at present, no decision having been reached regarding the method of procedure. They are: requests for construction permits for new stations at Fort Worth, Tex., and Albany, N. Y., submitted by Carter and Hearst, respectively; and a plea for permission to increase operating power to 10 kw filed by KJR, Fourth party, WCFM, strangely enough, hasn't asked for anything, being content with privilege of boosting to 1 kw as previously authorized by the F.C.C.

Technically, 970 continues to be a clear channel assigned to KJR, despite the fact that WCFM is operating simultaneously under a special experimental authority right. Commission regards Seattle station's acquiescence as overcoming objections to the WCFM grant.

Still lying low, opposition is preparing to battle the break-down proposal and is seeking a hearing on the Carter and Hearst petitions for new stations. Rival publishers throughout the country are reported mobilizing to block expansion of the Hearst radio network while local Texas politics provides added opposition to the Carter plan.

## Wire-Clipper Stops Austin Remotes—Calls in Cops

Buffalo, Feb. 26.—Harold Austin, band leader, has pulled in the federal cops to catch the snipper who has been clipping his wire to WGR, preventing the Austin outfit from broadcasting five times in the past two months the microphone, wire running to the front of the bandstand has been parted.

Best sort of wire clipping is a federal offense.

## Hospital Cut for Rice

Buffalo, Feb. 26.—Herb Rice, program director for WGR and WKWB, is in the hospital preparing for a major slicing.

Plenty of exits from the Lounsberry staff. Floyd Miller, of Victor; Robert Lund, announcers, are out. Doc Gallup, sport talker, likewise. Jim Eberle is new stand-by announcer for WGR and WKWB, started after showing his stuff on amateur hour.

Cliff Johns, homemaker with the New York and road companies of "Stevendore," is now doing scripts and production at Buffalo Broadcasting.

## Carl Fenton to WMCA

Carl Fenton has been appointed musical director of WMCA, New York. Extensive variety programs are to be built up under Fenton's direction.

Appointment went into effect Monday (25).

## Civilization Set Back

Goodman Ace, who used to be a newspaperman himself, as any acrobat who has played Kansas City will attest, couldn't suppress the old critical urge while listening to the recent debut of a new radio program.

"As a result of this show," said Ace, "the whole Crosley report goes down 2 points."

## ABC PROGRAMS ORIGINATE AT WOV, WEVD

Two commercials, Carbell and Maneschewitz Matzo have been acquired for network airing by American Broadcasting Company through foreign radio stations WOV and WEVD. WNEW, New York outlet for the chain, is not included in the local broadcast at all. Both hours are in English with only terse foreign announcements.

Carbell on Sundays over WOV, Italian station, runs 13 weeks and began its first hour a week ago. Fourteen stations carry this account over ABC. Talent include Metropolitan Opera male chorus; Anello Sonandrea, Santo DiPrimo, and Julio Ochibor's orchestra.

Maneschewitz Matzo's Jewish music drama emanates direct from WEVD. It is also a Sunday spread. Nine stations use this one.

## Thompson Agency Sues Winchell on Liquor Firm Ads

J. Walter Thompson has brought suit for \$50,000 against Walter Winchell, alleging that the columnist has contracted with Thompson and the Andrew Jurgens Co. by selling a testimonial to Godefrid & Worris, distillers, for a series of newspaper ads.

Also named in the action, with the same amount of damages sought in each case, are G&W and the latter's ad agency, Fletcher & Eilla.

Petition asking that all three be enjoined from further pursuit of the testimonial comes up for argument before Justice Collins in the New York Supreme Court tomorrow (Wednesday).

Thompson agency claims that its contract with Winchell prevents him from tying up with any product other than Jurgens, the hand lotion which bankrolls his Sunday night air program. Attached to the petition is a copy of the Jurgens-Winchell contract which gives the columnist's radio salary as \$2,000 per broadcast.

Litigation followed the appearance in New York dailies of an first of a series of 13 that Winchell had agreed to participate in for the lump sum of \$5,000. Besides including Winchell's name, ad also contained his picture. Thompson agency contends that the use of the photo in the advertisement also constitutes a breach of contract.

(Continued on page 47)

## Vaughn De Leath's Locals

Philadelphia, Feb. 26.—WFL has contracted with Vaughn De Leath for a series of local shows each Thurs. eve. 8:15 to 8:30. Sponsor is the Milson Company, a cosmetic house. Agency is the McJunkin firm here.

Show is only set to run four weeks, with options. No other talent is scheduled, except for piano and guitar accompaniment.

## LOOKS LIKE SPOT TO HERIT 'EM

With Columbia Policy Akin to NBC's the Flagrant Luxatives and Other Meddlesome Accounts Must Return to Spot Broadcasting, Whence Most of Them Originated

## WEBS FEAR RAPS

Like NBC, Columbia has decided on a policy that will eventually find all medicinal and laxative accounts eliminated from its network books. With the demand for time putting CBS in a position where it has nothing to worry about from the income angle, the web proposes to first do all it can to discourage these products from continuing on a hookup, and, if such events prove ineffectual, to frankly advise this clientele that there will be no renewals forthcoming when the present contracts run out.

In moving against the laxative and less attractive medicinal contingent, CBS is actuated by another viewpoint. It agrees with NBC and what it terms "other far-seeing broadcasters" that the scourge is imperative if the medium is to be saved. By taking the lead in this direction the network feels that they will be able to stem the continuous raking that commercial broadcasting has been receiving from its opponents, whether they be allied with competitive media or with groups seeking to have special air facilities set aside for educational, religious, etc., purposes.

**Prime Slices**

Columbia is confident that it will be able to preserve for its audiences the "better" class of program—that is, the persons on grain accounts are now bankrolling. It is the web's intention to take care of these established shows by offering them to newcomer clients, with the CBS sales staff and artists in demand under instruction to give the former status as primary consideration in their selling activities.

With both national networks frowning upon them as customers, the laxative and medicinal concoctions will be forced back to spot broadcasting, whence most of them originated for the air, and thereby completing the trade circle. Spot broadcasting has been receiving a great deal of much lament over the fact that the networks have made a practice of taking these accounts away after they had been built up by spot.

## Fox Joins WLS

Chicago, Feb. 26.—J. Leslie Fox has joined WLS as general assistant to Glenn Snyder, general manager.

Fox was formerly general manager of WSM, Nashville, and more recently commercial mgr. of WGAB, Cleveland. He left Cleveland two weeks ago.

## What Would You Do?

If President of U. S. A. Violated Station Ethics—KOMO-KJR Asks Announcers

Seattle, Feb. 26.—Applicants for a vacated announcer's post at KOMO-KJR studios flocked into the station recently for a test which his high school principal would be called upon to do in the line of duty.

With such questions as "If you had charge of a program on which the President of the United States was speaking, and he started saying things which were against the

## Newspapers-Stations Unite For Credit Data Exchange On Chiseling Adv. Agencies

### It's Easy

"Music at the Haydn's" is the title selected for Otto Harbach's Colgate show over NBC which was formerly simply "The Haydn's." Violet Fenton, Long Island City, is the contest winner receiving \$500 award.

Next was \$250 going to J. H. H. Beebe, Madison, Wis., for "Music and the Haydn's."

## CBS GROSS TOPS NBC FOR 9TH MONTH

Columbia for the ninth straight month topped the NBC red (WEAF) network by \$20,000 in the comparison of gross time billings for the month of January. CBS grossed \$7,751,211 last month from the sale of time, while the red link did \$7,731,047 and the blue (WJZ) loop accounted for \$1,091,166.

Compared to January, 1934, the figures represent a jump of 24.8% for Columbia, 32.5% for the red and 10.4% for the blue.

## CLEVELAND'S MAYOR CAN'T BUCK BENNY

Cleveland, Feb. 26.—

Mayor Harry L. Davis tested his pipes over WTAM in a civic program he co-authored. He even rented his own applause-making machine.

For first of his "Know Your City" series, the mayor wore his best suit hat while going back to 1802 for his skit about antiquated ordinances. When it attempted to show how economies of old days could be followed today, but humorous attempts didn't quite make a radio click. Walter Logan's station band, blues singer and some stooges helped to build up the skit. Chief subject of executive's own talk was town's summer resort facilities and ballyhooing its 1935 exposition.

Previous to first broadcast, Mayor Davis sent out a circular advising all city employees to listen in on his chats. He found out afterwards that most of them listened to Jack Benny, who was being aired over rival station at same hour. Failure of applause-making device to work gave the mayor another grouch the next day.

Gabriel Heatter, radio commentator on WOR, is scheduled to detail the highlights of the Hauptmann trial at the New York Auditorium Club luncheon Thursday (28).

Stella Unger at WMCA

Stella Unger back at WMCA, New York building woman's commercial hours. Station planning to do a series of exploitation in this particular field.

New staff artists include Susan Lee, organist, and Peggy Mann, blues vocalist.

St. Paul, Feb. 26.—

Although mutually at swords' points on practically all questions, Twin Cities (St. Paul-Minneapolis) newspapers and radio stations have buried the hatchet—and not in each other's skulls, this time—to help their pocketbooks.

Result of a joint meeting, held last week, of representatives from the Twin Cities' five daily newspapers and four radio stations was the formation of the Association of Twin Cities Newspapers and Broadcasting Stations. James Cole, national advertising manager of the Minneapolis Tribune (with the St. Paul Pioneer Press-Dispatch, a WTGN co-owner) is chairman of the newly-formed group.

Chairman Cole was careful to point out that the new setup is not a combine of the radio stations and newspapers in Minneapolis and St. Paul, but merely an organization to pass on the recognition of local advertising agencies, and to bring about the exchange of credit between the rags and the other outlets.

Four following principles are salient in the code adopted by the new association:

1. Financial stability: The agency must furnish evidence of its financial stability. It must have resources adequate to its needs and have business practices that are sound.

2. Demonstrated ability: The principals as individuals, and the agency as an organization, must have demonstrated their ability to develop and serve advertisers. The individual applicant must have satisfied the association of his or its integrity and financial ability to meet its obligations.

3. Equal practices: (a) The agency must be operating primarily in the advertising agency business with a minimum of three accounts; (b) Translating the commissions paid to the advertiser into service to the advertiser without direct or indirect rebating.

4. Co-operative in practice: No agency commission will be paid on accounts which the station developed and where the station salesman has secured the order and schedule prior to receiving an agency order. Regular commissions will be paid for the first move on the part of any subsequent contract or schedule that may come through an agency for this same account.

## ALESHIRE TO HEAD KASTOR RADIO, CHI

Chicago, Feb. 26.—

Ed Aleshire steps into the Kastor agency here shortly to take full charge of the agency's radio department and also to handle account copy and contacts. Addition of Aleshire marks the first move on the part of the Kastor agency in a general campaign to build up its radio billing on national business. Aleshire will begin formulation of radio campaigns for three new accounts plus the building of new shows for several Procter & Gamble products.

Aleshire returns to the agency business in Chicago after having been with the American Broadcasting system in an exec capacity. Before joining ABC Aleshire had been chief radio exec for both the Black-Ed-Sample-Hummert and Lord & Thomas agencies.

## Stella Unger at WMCA

Stella Unger back at WMCA, New York building woman's commercial hours. Station planning to do a series of exploitation in this particular field.

New staff artists include Susan Lee, organist, and Peggy Mann, blues vocalist.



## Apart from Mechanical Problems Program Cost Chills Television

Two developments during the last few weeks are interpreted in radio and picture circles as having some significance for television in the United States.

One was the statement of M. H. Aylesworth, president of National Broadcasting Company, that his company's future television activities were to be carried on in Hollywood. Other was acknowledged by research experts and engineers that the use of talking picture films in television broadcasts was the most feasible plan at the present moment.

NBC officials' statement was taken to mean that film stars from the RKO lot would be called upon to appear in experimental television programs on the West Coast. While the new \$250,000 National Broadcasting company's studio is being erected on RKO's premises, the picture work—its life—generally thought that television programs may originate there.

Close proximity to the available supply of trained motion picture artists fits nicely into NBC's plans as far as using live models is concerned. These players largely will come from the RKO staff, since a plan of borrowing talent from other studios is being generally agreed with this affiliate organization.

Because it has been found possible to successfully transmit a picture by employing a specially designed picture engineer thoroughly familiar with the trends in television foresees the pioneer television broadcast as emanating from this source. In respect with the use of a wire on television transmission, the A. T. & T. is now engaged in research to determine the most suitable type of wiring to carry television broadcasts.

While the broadcasting of a full picture play may prove sufficiently novel at the outset for home listeners, those interested in the development are fully aware that potential position engineers will quickly pick it up if they are continued. There's full realization that the innovation will have to develop further if it is to hold home listeners.

### Program Cost

Fact that screen plays can be sent out successfully is expected to bring about the production of dramas and comedies in condensed form, especially made for television broadcasts. The task of squeezing a complete play into a fifteen-minute program is expected to prove the real stumbling block as far as costs go. Conception of what a monetary outlook is required for condensed pictures, very much idea of the costliness of such a program.

Columbia Broadcasting company is on record officially as not carrying on any television activity. By a period of two years experimentation has convinced the organization that there are too many obstacles at present in the way for a complete commercial picture in this country. Opinion of some officials is that television programs would prove so costly to sponsors that they would not desert radio no matter how successful the new type of broadcast became.

Recent publicity on television is reported to have led a portion of the public to believe that this type of program is only a matter of months until it will be in general use. The most expert opinion in the new industry however, is thoroughly convinced that commercial television still remains a speculative possibility, and that the cost of programs continues to be the most influential factor.

Aylesworth was credited with saying during his week in Hollywood that 13,000,000 radio sets would have to be replaced by television receiving outfits in American homes. However, he did not say when a television set would be made, how long it would take for such replacement or at what cost. It is probable that newer and better radio sets and more perfect tubes will be seen before television even faintly gets into the picture.

Berlin, Feb. 15.—Germany will test her challenge to the television world this spring, but experimenters are not ready to air pictures on large scale. The country's technical people have been plugging ahead, mostly in secret but now stirred up by English an-

### \$1 RADIO SET TAX

Mentioned in Albany But Not Serious—Yet

Albany, Feb. 26.

After Governor Lehman had proposed a one-cent increase in the state gasoline tax, there was much discussion by members of the Legislature as to a possible substitute. One of them suggested imposing a tax of \$1 on every radio receiving set, including those in autos.

Gas tax bill passed, however, so there's no further danger this session of a radio tax.

## 'News When It Is News,' KFAB, KFOR, KOIL, Slogan Bait Press

Lincoln, Feb. 26.

Stations KFAB and KFOR, Lincoln, and KOIL, Omaha, all announce at every station break: 'Listen to the station which gives you news when it is news.' 'Listen to the new news flashes of important events.' etc. The stations have inaugurated nine news periods a day at regular spaced times. Use Trans-Radio news service. In addition to this, every out of the ordinary flash is transmitted. Idea is to keep the listener on for both the regular periods and hanging on in case there's a break of something big.

News is handled by Foster May, idea was Dee Dietrich, general manager, of the four links.

Birmingham, Feb. 26.

WSON and the 'News' are becoming such sweethearts these days that an affiliation seems to be inevitable. As it stands now the station and the paper are supposed to have only a working agreement to swap publicity. Arrangement came about after Ormond Black leased the station and donated time to the paper for reading the comics daily and Sunday. Black, a political writer, has been loaned as political commentator. For this the paper is giving the station space, which is being used in promotional advertising for the station.

### London's Radio Revue

London, Feb. 15.

Clayton Butler, at one time publicity man for Gaumont-British, is presenting what he calls radio-revue entertainment at the Prince Edward theatre.

Butler has catered plenty of trouble with his opening show when Archie De Bear did a disappearing act. Others also walked out, with Eddie Pola actually staging the rescue. Only one of the openers was Stanell, a vaudeville act. (This looks like an English adaptation of a promotion announced but never materialized on Broadway.)

### 8-Year-Old Singer on New Tastyest Program

Philadelphia, Feb. 26.

Tastyest moves to the NBC Sunday afternoon web this week (9) for an amateur show featuring Horace Fehly, as m.c., and 8-year-old Chubby Kane. Both are products of WCAU here. Account was recently given by the Clements Agency, a Philly outfit.

Fehly is at present handling a beer show for Clements via WCAU, also in the amateur vein, while the younger Mr. Alice Clements, who also produces the Horn and Hardart kids show via WABC on Sundays.

Show production will be supervised by Mrs. Alice Clements, who also produces the Horn and Hardart kids show via WABC on Sundays.

These experiments, technicians claim, will show the possible radius which can be covered by instruments in their present state of development.

### Rare

Don Marquis was asked at WOR for an autograph of his latest book, the requester suddenly apologizing that she just discovered that it wasn't a first edition of the Marquis tome.

Author observed, 'That's all right, any second edition of a book that I write is even more rare.'

## WIP POSSIBLE MUTUAL ALLY?

Philadelphia, Feb. 26.

Possibility of WIP moving into the Mutual web arose last week pursuant with WOR's test of the new 50 kilowatt transmitter in the Philly area. Opinions expressed seem to believe that should the WOR signal lack sufficient coverage strength to allow the Newark outfit's entrance to the market here, WIP may swoop into the chain. WIP is now carrying the ABC network.

Albert Cormier, associated with WOR for many years and more recently with the American Broadcasting System, took over the chore of vice-president and general manager of WIP last week. Cormier is endeavoring to whip the sales and personnel of the station into shape before it moves to its new studios next month.

First WOR coverage test, held last Tuesday (19), showed marked improvement over the previous week. WOR's difficulty is expected to be one of the merchandising, rather than coverage.

## WAAF Plugging Shows On Rival Chi Stations

Chicago, Feb. 26.

Station WAAF, known as the Drovers Journal outfit, now goes on the air with a daily program scheduled to announce evening shows of importance on the various stations in town. Mention stations and shows by name and also give credit for the info to the radio editors of the Chicago dailies.

Station itself is only a daytime spot and newsline, the program shows as a goodwill gesture to the public and to the radio editors.

## Agencies-Sponsors

Rose Laird Cosmetics, starts on Mar. 12, Fifth Avenue Window Shopper series over 10 CBS stations, using the 10-minute period following the a.m. news broadcast Tuesday and Friday. Kelly, Nason & Roosevelt is the agency.

C. F. Mueller Co. (Macaroni), received Bill and Ginger program, effective Mar. 11, on CBS eastern hookup five mornings a week. Agency is E. W. Hellwig.

Cocombat has extended for Buck Runk series, effective Mar. 4, on 40 CBS stations five days a week, through Ruthrauff & Ryan.

Southwest Ice Manufacturers' Association will take to the air via Texas Quality Group to bally up advertising campaign against mechanical refrigeration. A 13-week span begins March 7, originating from Fort Worth.

Portland, Oregon, shingle mills have joined together for a cooperative advertising campaign designed to boost sales of their product in the re-roofing activity stimulated by the Federal Housing Act. Considerable radio is to be used. R. C. Ostrander Advertising Agency is in charge of the campaign. Mills co-operating are: Albina Shingle Company, East St. Johns Shingle Company, Milwaukee Shingle Company, Monaghan Shingle Company and Union Shingle Company.

Washington Boxed Apple Bureau has started advertising again with a fund of \$75,000 which will be spent advertising canned apples. Chas. M. Cleveland, editor of the Wenatchee, Wash. Daily World is handling the account.

## Inside Stuff—Radio

Libretto of 'The Waltz Queen,' which is slated for airing over NBC in the Swift & Co. slot Mar. 5, was adapted from a stage script that Robert Colwell and Robert Simon, both on the continuity staff of J. Walter Thompson agency, authored months ago. Pair's main objective in getting the fable on the air is films. They hope that some picture producers or their agents, will get an earful of the operetta and follow up the broadcast with an offer for the screen rights.

Composer of 'The Waltz Queen's' score is Sigmund Romberg, who piles the baton regularly on the Swift Saturday night series. Colwell and Simon were also the co-authors of 'Steady Dynamite,' which after a road tryout, was bought and filmed by Radio.

Racing fans who tuned in on the Santa Anita handicap Saturday (23), are indebted to Al Jolson for the most important piece of information next to the winner of the race. After Azucar breezed in, the question uppermost in the minds of the listeners was 'How did he pay?' That's verbatim on the air as many states on the hookup have a law against gambling or the publicizing of payoffs.

While many who held tickets on the winner were preparing to hustle down to the corner and wait for a paper, Jolson sidled up to the mike and spluttered, 'Oh, boy, twenty-six-eighty.' Jolson may not know it, but he made thousands of friends by those words.

Hendrik de Leeuw, nomad globe-trotter and author, captured a representative press gathering at WEVD, New York, Thursday night (21) due to his books on sinful cities. World-wide vice activities are treated in his sundry tomes. Films were announced as the main dish for his press gathering and all came primed to witness close-ups of the fabled love barges and oriental bagnios.

Instead, the camera unrolled only shots of missionaries and transcontinental air flights such as is included in his new novel. Writer was taking his chance in launching his new air series so stuck to the standard travelogue stuff.

Hollywood studio execs—and casting directors—eyes opened—when Harold Kemp, NBC's talent head, dropped that company's talent books in their laps. Brochure cost around \$3 to turn out, is a handsome affair, with a full page photograph and biog of all NBC personalities, including announcers.

Several agents lamped the talent catalog, dashed out to printers to get quotations on how much. First-time this method of acquainting studios with agency's talent has been used.

New York dailies have become regular customers of the local outlets. Past week worked the Herald Tribune, the Journal and the Sun using WOR and WMCA to plug their respective magazine sections.

WOR had the Journal and the Trib, with the former making it 15-minute readings, and the latter using a batch of five-minute spot announcements over the three last days of the week. With the Sun on WMCA it was also a concentrated spot campaign.

Station WINS, New York, is basing its new rates on a 'cost of operation plus profit' basis in frank disregard of circulation claims. Station apparently takes the position that signal strength and fan mail are too vague to convince sponsors accustomed to hearing contradictory stories from competing stations.

Richard Crook's latest salary in radio is \$3,000 a performance. It represents a hop of \$1,000 since 1932.

## American Remotes for Mexican Stations Is Officially Mulled

San Antonio, Feb. 26.

Question—whether programs can be piped from this side of the Rio Grande to a Mexican station for airing will be mulled here March 15.

Commissioner Thad Brown of the FCC radio division will conduct hearing on application of Hotel El Encanto, which wants to pipe programs to XEPN, Mex station in Piedras Negras, across the river from Earle Park.

Nellie H. and W. C. Morris, hotel party manager, and station manager George B. Porter, assistant general counsel for the commission, will accompany Brown.

## Balto Station Rep Shift

Baltimore, Feb. 26.

When Ifeart recently acquired WBAL the station was nationally repped by Greig, Blair & Splight, Inc. Local CBS link, WCAO, was repped by Paul H. Raymer, who handles all the Hearst stations. So the part of broadcasters have switched their out-of-town agents. G. B. & S. stepped over on WCAO's side of the fence, and the Raymer outfit hopped over to the Hearst property.

Meanwhile WCBM, local link in the ABC, has acquired its first national representative, Hubbard Ayer of New York. Though the station is about eight years old, it has been rumbling along till now without a national rep.

Robert T. Convey, president of KXSN, St. Louis on an eastern business trip.

Carroll King has joined WMAZ, Memphis, on sales end. He is a former newspaperman.

Maxie Atkins is substituting for Buddy Murphy on daily Merry-Go-Round program at WCAE, Pittsburgh.

## NO UNION-WFL PACT IN PHIL.

Philadelphia, Feb. 26.

A second meeting of the exec committee of the Philly Musician's Union to reconsider the labor body's refusal of an 18-piece house band at WFL, concluded in another surprising defeat for the radio station.

Second convening was the result of the terrific latent upheaval here when the first decision was announced two weeks ago.

It is understood that the Union's drive on radio stations has split the group in two opposing factions, with the labor division growing. A compromise agreement reached in secret session on Wednesday (20) sends the WFL matter to the general assembly convoked on March 5. It was expected that a conclusion would be reached over the past week-end, since the radio outfit seems assured of a favorable decision when the appeal goes to open vote.

Unemployed musicians view the WFL application for so large a unit as an opportunity for definite radio expansion, especially since the work has already leaked out that WFL will mount its five-man ensemble to a possible 15-piece studio orchestra. Men believe that with this action, Union will be forced to reach an agreement with Leon Levy for the installation of a studio group in KYW which is now sans staff music.

## FioRito Patches Up Spot

Los Angeles, Feb. 26.

Going off the CBS Campus Soup 'Hollywood Hotel' program after a wordy battle with the producers, Ted FioRito is back in the spot and will continue airing on this program until his present contract expires, April 1.

FioRito was back on the program Friday (22) after being off one time. Fred Falger's orchestra substituting for FioRito's band. The program was the FioRito contract runs out.

# CHAMPING SMALL CUPBERRIES

**\$6.25 Average Remuneration for Spot Roles in Chi Script Shows**

Chicago, Feb. 26. Performers in Chicago are beginning to compile statistics on the prices paid by the agencies and networks for minor roles in the various script shows. Performers want particularly to discover whether the sponsors themselves know just what the salaries are on their shows and whether there is any real chiseling going on locally. Performers claim that the sponsors are paying a much higher sum for script role talent than the performers themselves get.

Talent for some time now has been trying to better its position in radio locally and they feel that the time has come to come right out into the open with their feeling in the matter. Instead of devoting themselves exclusively to washroom squawks. Are finding that keeping their complaints to themselves is not doing anybody any good. And is not elevating the situation. They are coming around to the belief that it's better to take drastic measures rather than let the money problems grow moldy within the talent ranks.

**Salaries**  
Following is a chart of talent remuneration for spot roles in various script shows out of Chicago as reported by the performers themselves. It is broken up into various sections, for roles in dramatized commercials, and finally for broadcasts and recordings.

"Amos 'n' Andy" (Pep-Lord & Thomas), dramatized commercial; \$5 per broadcast.  
"Myrt & Marge" (Wrigley, Frances Hooper), per broadcast, \$2.25.  
"Ma Perkins" (Oxydol, Blackett-S-H), per broadcast, \$5.00.  
"Orphan Annie" (Ovaltine, Blackett-S-H), per broadcast, \$7.50.  
"Jack Armstrong" (Gen. Mills, Blackett-S-H), per broadcast, \$2.25.  
"Today's Children" (Pillsbury, Hutchinson), per broadcast, \$7.50.  
"Song of City" (Drene, Kastor), per broadcast, \$7.50.  
"Dramatized-commercial", \$5.00.  
"Og Son of Fire" (Libby, J. W. Thompson), 2 broadcasts and 1 recording, \$15.00.

**Every Child in WCBM Troupe Must Be Paid, Maryland Law Rules**

Baltimore, Feb. 26. WCBM Kiddie Klub is once again starting to get itself booked for play dates sponsored by clubs and churches, playing around town in halls. George Schaeffer, who plays papa to the kid performers over the ether, does some for outside in-person appearances. Klub gets a 50-50 split of the gates.

"Stations' kid groups formerly made plenty personals around, in babe pic-houses as well as church halls, but practice waned when child welfare societies and state employment bureaus got after 'em, making 'em too the line. Under present set-up, each kid has to be paid some dough, and the club must take out a child performer license for each lot to show, and all contribution to an established charity must be given.

## WAX WORKS

Eastern States Ice Association is having a series of 13 quarter-hour discs done by RCA Victor for placement in 27 cities. Another 13 will be stencilled if the bankroll collected from among ice dealers' permits. Louis Katzman and 20-piece combo is furnishing the entertainment.

Glazo has placed a series of one-minute dramatizations on four Cuban stations, CMAP, Havana, CMJK, Camaguey, CMHD, Calbarren, and CMKO, Santiago. Robert Advertising Agency booked the business through Broadcasters Abroad.

## Boobs Wanted

Hollywood, Feb. 26. New gag for the party throwers is to engage radio amateur nightbirds for the entertainment of the guests.  
Hostesses listen to the simon pures and then call up the station offering to give a ten-spot to this or that would-be air crasher. The worse the talent the better the chance of getting the top coin.

## 15-SEC. BLURBS FOR LUCKIES

George-Washington Hill, American Tobacco co., may adopt the linerick stunt now being used with Herbert Tarleton cigarettes for spot campaign on Lucky Strikes. Jingle idea has caught on in a big way in the three towns, Washington, Baltimore and Philadelphia. It has been tested with the result that Hill has given thought to giving it a national spread but in behalf of Lucky.  
Jingles, each recorded, run 15 seconds. With the catch line at the finale running "There's Something About Them You'll Like". Station announcer-picks up at this point with the statement, "Try Herbert Tarleton cigarettes there's something about them you'll like". Jingle paper tie-up offers \$5 for every jingle framed along similar lines that is accepted.  
Jingles must be written on blanks obtained from retailers, and to stimulate their distribution at the latter source the c/p checker also pays \$5 to the clerk who gave the winner his blank.

## STATIONS FROWN AT WIP MERCHANDIZING

Philadelphia, Feb. 26. WIP opened a special department this week to handle merchandise for its various accounts. This directly with the Gimbels Brothers store and disposes the belief that WIP will separate its operations from the parent emporium when it moves to new studio quarters next month.

Merchandising service is being handled currently for the benefit of a new nut product, canned peaches. A Stewart-Jordan Agency account. In addition to placing the show, on the station, WIP also makes available choice window displays and takes on the product for sale in the store's celebrated Pure Food section.

It is understood that the plan is being severely censured by other local broadcasters, naming it as unfair complicity. They complain that such a service is endeavoring to compete with radio advertising.

## WLW REBATES

FCC Decision Sends Rates Back to Old Level

Cincinnati, Feb. 26. WLW has gone back to the evening rates that prevailed before the station's power was hopped to 500,000 watts.

With the outlet still operating at 500 kilowatts during the day, WLW contemplates no change in the rate card affecting day time usages.

## Negro Talent in Texas

Dallas, Feb. 26. SBS annexed third Negro feature in "Rhythmettes," colored co-ed harmony trio. Used in sustaining spots.  
Negro talent is rare in Southwest.

**HARMFUL LOCAL HIT 'N' RUN ADV.**

**Alienating Best Minor Sponsor Prospects with 'Customer Is Always Wrong' Promotion Staff—Influences Advertisers Against Radio—Bad Hours and No Results**

## HIGH PRESSURE

Small stations are participating, innocently or knowingly, in the destruction or alienation of many of their best local sponsor prospects among retailers. This tendency is especially notable in New York, but is also repeated typical of most of the cities where small-stations, because of keen competition, are over-eager for business.

Beauty parlors, restaurants, drug stores, credit jewelers, clothing stores and what have you, the general retail merchants and service firms are being victimized. No actual unlawful racket is involved, but the methods and the attitude of the chief offenders have a racketeering tinge.

Briefly what happens is this. A flying squad of high pressure salesmen calling themselves "time brokers" canvass the retail establishments and hypnotize the owners into spending \$200 for spot announcements. Salesmen collect the \$200 in advance (it is seldom more) for a series of blurbs. Not expecting a renewal, the pressure boys have no interest whatever once they have gotten the check. In consequence the station which gets the contract is allowed to write the blurbs and stick them into the program "schedule" at their own convenience, using the \$200 worth up at bad hours and, just as rapidly as possible.

Retailer gets no results from radio on this basis and develops either a growth or a fixed conviction that the medium is ineffective. Legitimate sponsorship propositions when made thereafter encounter terrific sales resistance.

Meanwhile the glib sales crew operates on the principle of here today, gone tomorrow. They deduct 15% time brokerage from the gross and in addition generally expect the station's salesman who contacts the advertiser to split his 15%. Thus the \$200 account pays the fly-by-nighters \$45 in commissions. And the supply of chumps is large enough to keep the gravy bowl full. Sharpshooters never authorize stations to proceed until the retailer's check has passed the clearing house.

## Columbia Casts Doubt on Telephone As Instrument for Fact-Finding

Columbia hopes through the compilation of a survey that it is to shatter the faith of the advertiser in telephone polls as far as radio is concerned. CBS hopes to show in this brochure, "You Do What You're Told Today," that the only safe and sound method for determining listeners' program preference is the house to house call.

Findings that are being submitted by CBS are based on checks made by a corps of investigators operating under the direction of Prof. Daniel Starch. Each of the bell-ringers is equipped with a list of the programs broadcast by all the local stations the previous day. The householder is shown the list and is asked to note what programs she had tuned in. Through this checking method, CBS holds, it is

**10 Hours Weekly on WBT by Crystals; Getting Away from Hillbilly Stuff**

## Maybe

Berlin, Feb. 17. Some question here about why programs are so slow. Maybe the answer is contained in the program announcements which, just to be sure, go out in several languages. One program from Frankfurt last week was announced in German, English, French, Italian, Spanish and Polish.  
After all the announcements there wasn't much time for the music, so that was cut down.

## DON LEE WEB DROPS WAX SURCHARGE

Los Angeles, Feb. 26. Don Lee network has removed the 100% surcharge for transcriptions from its station rate cards. Affected by the change in policy are KTL, Los Angeles; KRFC, San Francisco, and KGB, San Diego.

In each instance the surcharge which was applied to disc commercials was made equal to the gross charge for time, with no frequency or agency discount allowed from the former figure. If the basic price for a quarter hour of evening time was \$45 the sponsor was called upon to pay an additional \$45 to cover the turntable fee.

Under discussion by the Don Lee executives is the question of also eliminating the collection of the 15% performing rights fee directly from advertisers. This tax, which goes to the American Society of Composers, Authors and Publishers, is applied to the net charge for time.

## NBC WAX SERIES IN 7 LATIN REPUBLICS

NBC is now distributing its recorded library service among stations in Central and South America. Countries in which these sustaining performances are being booked include Costa Rica, Honduras, Uruguay, Paraguay, Guatemala, Brazil and Argentina.

Selling of the nine series already completed by the web is in charge of the South American reps for RCA Victor, with the main offices in Buenos Aires, Argentina.

Charlotte, N. C., Feb. 26. Crazy Water Crystal Co. of the Carolinas has just placed a 52 weeks' contract with WBT, constituting what is believed to be one of the largest single orders for radio time ever placed by a spot broadcaster.

Contract provides four programs a day during the week, with additional special programs for Saturday and Sunday nights, longest of these programs is a one-hour Saturday night band dance.

Crazy Water Co. now has an hour and 15 minutes a day, save over the week-end, when special programs run the total time to a point approaching 10 hours of broadcasting a week.

With the expanded contract-Crazy Water is getting away from hillbilly programs, too. Change is gradual. On the new afternoon strip popular music is used, with no trace of hillbilly. Sunday night program is strictly classical, with only a few moments of advertising. Daily evening strip continues semi-hillbilly, with the mountain music giving way in part to ballads and popular songs. Morning and noon spots continue 100% hillbilly, as does the one-hour Saturday night band dance.

## School Official Polls Principals on Radio In Classroom Work

St. Paul, Minn., Feb. 26. T. P. Gladding, superintendent of musical education in the Minneapolis public schools, last week contacted Minneapolis public school principals with the following questionnaire, and while not answered, enough responded to indicate something of the sentiment.

Following is the questionnaire and replies to each query.

1. Have you a radio in your building? Yes; 83; No, 55.
2. Are you using the various music programs that are prepared especially for school use? Yes; 78; No, 49.
3. If you are using them, do all the pupils listen, or only a few? All, 5; Some, 15.
4. Is the radio program of sufficient importance to take school time for it when so many fine programs are available out of school time? Yes, 25; No, 36.
5. Would a concerted movement to encourage pupils to listen to the radio music program outside of school time be better than taking time for this purpose? Yes, 68; No, 16.
6. Would you favor a combination of both plans? Yes, 53; No, 15.

As a result of the questionnaire replies Mr. Gladding now plans to push music program especially prepared for school use in schools which at present are unacquainted with this type of entertainment.

Questionnaire sent to all of Minneapolis' 111 public schools, representing an enrollment of 83,105.

## 1,000-ANNOUNCEMENT CONTRACT AT WCBM

Baltimore, Feb. 26. Exceptional single sale of spot announcements for Baltimore was bagged by WCBM last week.

Stationed signed a loop department store for 1,000 spots in bulk, to be spread out over a year at rate of 20 per week.

## WMCA \$450 an Hour

Hour rates on WMCA, New York, remain the same as when a part of the former BS chain. New schedule just issued.  
Current rates are: Class A, night time, hour, \$450; half hour, \$250; quarter hour, \$150, and five minutes, \$60.  
No retail discount on time signals.







# Improbable Broadcasts

No. 9—Tarzan of the A. P.

By Bob Landry

Music—Tom-toms.  
Sound Effect—Assorted jungle whoops.  
Sound Effect—Tigers eating lions.  
Announcer—We are in the heart of Africa.  
Sound Effect—Racing car at high speed.  
Announcer—An automobile rushes madly across the African safari.  
Sound Effect—Gears of a heavy truck.  
Announcer—From the opposite direction a two-ton truck loaded with pitch helmets approaches. The red light is on, but the racing car does not see it. Suddenly there is a crash.  
Sound Effect—Screaming brakes, collision, flying glass.  
Carveth Wells—Sorry, old man. The was in my eyes.  
Martin Johnson (from under car-buretor)—You!  
Wells—You!  
Mrs. Johnson (sticking her head out from behind the car)—  
Wells—drawing his head in—  
Hc!  
Sound Effect—Airplane.  
Johnson—My God, an aeroplane, we're scooped—it's Burton Holmes.  
Sound Effect—Zeppelin.  
Wells—And look—that blimp can only mean one thing—Frank Buck.  
Mrs. J.—Martin, there's a news leak at the American Museum of Natural History.  
Wells—And I had a contract all set with NBC.  
Sound Effect—Elephants eating peanuts.  
Announcer—The scene now shifts to the Edgar Rice Burroughs country. Here we find our old friend, Tarzan. He is hanging from a tree looking down on the waters of Lake Canibé. Beside him is one of his ape buddies.  
Tarzan—I tell you, it's incredible. Ape (thoughtfully)—I wouldn't be too sure of that, Tarz. There's a telling 'what they'll dig up out of Africa yet.  
Tarzan—I've been around this lake too long. I can't believe there's any prehistoric monsters in it.  
Ape—Yeah, but suppose there is. Think of the serial rights! Think of the serial rights!  
Tarzan—What's that? I heard a sound.  
Sound Effect—Zeppelin.  
Ape—It's some explorer, I suppose. They bore me.  
Frank Buck (appearing from under bush)—Mr. Tarzan, I presume?  
Tarzan—Put away that camera, Buck. How about giving me your theories on the prehistoric monster?  
Tarzan—Sorry, old man, can't oblige. I'm here myself on assignment from the A.P.  
Ape—You don't mind if I hang from the tree with you?  
Tarzan—You may go hang anywhere. I saw 'Wild Cargo'.  
Buck—Don't ritz me. I saw your picture.

Sound Effect—Female Ubangi eating soup.  
Announcer—The next day there is quite a camp on the shores of Lake Canibé. Burton Holmes, the Johnsons, Carveth Wells, Floyd Gibbons, Sir Hubert Wilkens and Cornelius Vanderbilt Jr., arrive. Nothing is talked of except the prehistoric monster. There is considerable speculation.  
Sound Effect—Considerable speculation.  
Ape—Hey, Tarz, can I see you a moment?  
Tarzan (pushing a rhinoceros aside)—Okay, Toots. What's up?  
Ape—I've got a tip on the prehistoric monster's habits.  
Tarzan—Who told you?  
Ape—This is a friend I got it from a friend who got it from a friend. The monster always comes up just after tea for a bit.  
Tarzan—Boy, this is something. We've got to keep it quiet. I'll tick out a message to the A.P.  
Sound Effect—Morse code.  
Ape—What are you saying?  
Tarzan—I'll read it quote A. P. hereafter we have hot line of prehistoric monster's quote exclusive interview if monster speaks any of dialects of this area stop have rewrite desk prepare alternative story and hold for flash stop code follows one dot means saw the monster talked with him—her or it stand by for interview stop two dots mean saw monster but did not have time to talk stop three dots mean there is no monster signed Tarzan A.P. Correspondent Deepest Africa.  
Ape—That's a good plan, Tarz. Sound Effect—Explorers eating their hearts out.  
Announcer—It is tea time. Without saying a word to the camp Tarzan steals off to a secluded spot on the shores of Lake Canibé.  
Tarzan—I may be handicapped through not knowing the prehistoric monster language.  
Announcer—Meanwhile far off in the distant A.P. station the officials wait nervously for the flash that may mean the greatest scoop in history.  
Ape—It's long after tea time. Why don't we hear?  
Ape—Don't talk. I think it's starting.  
Sound Effect—Morse code.  
A—That's it. Careful now. What is it—one dot—saw the monster talked to him—two dots—saw the monster didn't talk—three dots there is no monster.  
B—Wait—another dot—four dots. It's stopped.  
A—That's not in the code. Wire back for an explanation.  
Sound Effect—Morse code.  
B—I'm saying quote received flash four dots not in code stop three dots—there is no monster please clarify signed A.P.  
Sound Effect—Morse code.  
A—Here comes the answer.  
Answer—Four dots means there is no Tarzan.  
(Signed) The Monster.

## Italy and Radio

Milan, Feb. 14.  
Out of 43,000,000 in Italy only 395,000 own radio sets. Even Austria with a bare 6,000,000 population claims to have 506,000 sets.  
Character of Italian tastes, illogical taxation, commercial ineptitude, poor programs and luke-warm police control are blamed. First and foremost, the people spend much of their leisure in cafes, bars, hotels, restaurants and osterie (inns), and being value they find in the radio a competitor who can be more reasonably with not bawled to silence.

## Nazi Case Against Old Regime Radio Execs Nears End in Court

Berlin, Feb. 15.  
Germany's long-drawn case against directors old radio system nearing close with charges acquittal 90-50 and no takers.  
Case grew out of changes that old directors had paid themselves too much money, had forced firm printing official radio mag to kick back some part of payments and half dozen minor offenses.  
Case first broke after Nazis took over government, arrests being made wholesale, dozens shoved into concentration camps, accompanied much bitter wailing in press about 'stealing poor people's groshens', similar to same walls which were looted to undermine confidence of union men in their leaders.  
Since case busted, several defendants died, others ordered released from camps.  
Seven defendants faced trial, state demanding sentences totaling 154 months and fines amounting to \$98,000 marks.  
Twice first big propaganda possibility since Reichstag fire and outcome may determine government's future action on other charges pending against officials of old regime.  
Most of the defendants were instrumental in bringing Germany's radio system out of wadding stage of today, but that didn't count.

## BAR ASSN. GRIMACES AT COURT PICK-UPS

Denver, Feb. 26.  
Broadcast daily over KLEZ from the police court, commercialized by a broad company, is receiving more slurs and radio came to Denver. Has been going on for several months, and, according to Mayor George D. Begole, will continue as long as he is in office, and someone wants to pay the broadcast. Election is in May, so the broadcast ought to be safe until June at least.  
Bar association committee passed strong resolutions condemning the broadcast, and the commercialization of the police court proceedings. Judge retaliated over the air, made some remarks about the committee they did not like, and the committee called on the mayor to stop the doings. Mayor refused, and at present it looks as if the broadcast were safe, and KLEZ is getting more publicity than ever, both parties mobbing up both sides of the story.

## Sue Winchell

(Continued from page 43)

In an affidavit, attached to the petition for an injunction, John U. Reber, head of the Thompson agency's radio department, declared that when Winchell informed them on Feb. 15 of the G. & W. testimony deal, he warned the columnist that the latter was in violation of a clause in the Jurgens contract which barred in the use of Winchell's name or likeness in any ad other than Jurgens', with express permission of the Thompson Co. Winchell told him, said Reber, that he had 'forgotten' about this angle. Next day, according to the affidavit, Reber advised Fletcher & Ellis agency about the prohibitory clause in Winchell's contract.

## Band Pick-Up Raiding Campaign Renewed in Chi; NBC as Ringleader

### Here and There

Spina and Burke compositions will be the full program of Fred Waring on March 2. Writing duo are couple of youngsters only in the biz a year.

John M. Kennedy, shifting to WBAL, Baltimore, sales from the debut of the local Hearst rag, News-Post.

'Easy Aces', who are now on WDAF, the Kansas City Star's station, through a NBC hookup, were given double-column art in the Star Sunday edition. Goodman Ace was formerly dramatic critic and columnist on the opposition Journal-Post.

Merle S. Jones, formerly sales manager for WAAW, Omaha, has been appointed on the sales staff of KMBC, Kansas City.

George Harvey has been added to the sales staff of WGN, the Chicago Tribune outlet.

Roberta McWade, daughter of Robert McWade, light-picturist actor, is doing the feminine lead with the WCY Matinee Players in a serial sketch of medieval England. 'The Wayside Inn'. She is a teacher of dramatics at a Schenectady High School.

Tom Manning is deserting WTAM, Cleveland for a time to vacation in Miami, Fla., his first vacation in nine years.

Hum, Strum and Shep, an act that has played eastern Ohio theatres in recent months, is leaving WTAM, Cleveland, shortly.

Charles Grossman, program director for KSO, Des Moines, is out of Gordon Hittman goes in as successor.

David Freedman is scribbling new radio sketches for Tom Howard and George Shelton.

Walter Logan giving WTAM Cleveland staff orchestra two-week notices. New membership coming.

Ben Levin, news commentator, beginning three-a-week set-up over WGAR Cleveland under new contract.

Rose Thall leaving WJAZ, Cleveland, with Clyde Wood taking charge of children's programs.

George Skipper of the Skip, Step and Stompin' act, Cleveland, is deserting team to join sales force of local Pontiac Co.

Clyde Kittel, reconsidered resignation. Is staying at WTAM, Cleveland, as announcer.

H. R. Gross, former newspaperman, has joined WHO, Des Moines, as news editor.

J. C. Schramm, former chief announcer at WVEB, Bronx, is now spelling over WOR, Newark.

C. O. Langlois and Ralph C. Wentworth formerly with General Broadcasting have opened advertising offices in New York.

WWNC, Asheville, N. C. celebrated its seventh year on the air Feb. 22.

KFAB, Lincoln, will be in the Hotel Lincoln after March 1, when the present Cornhusker hotel studios will be vacated. This is in conjunction with KFOP. Both links operated by the Union Holding Co.

Edith de Takacs in NBC artist's service sales promotion division under Edward De Salabury.

Lester Spencer, publicity chief at WOWO, Fort Wayne, has sold his Question Box hour to Cocktail Cigarettes.

Ezry Cook, as result of Ozark Mountain Boys landing Fels-Naph- (Continued on page 49)

Chicago, Feb. 26.  
Band spot raiding campaign is under way again in this town, and with the NBC office leading the foraging, or attempts at enticing name band spots away from rival transmitters. Columbia system, which used to be the ringleader in the raiding campaigns, is somewhat quieted down now, having grabbed off the Edgewater beach, the Coz Fares and the Grand Terrace. But NBC is on the spot, with not enough top Chi spots to go around.

NBC program chiefs have been angling for three, danceries now completely tied in with WGN, the Chicago Tribune station. Are making overtures to the Palmer House, which has Ted Weems' band in the Empire room, and to Andrew Karzas, who has Wayne King band at the Aragon and Jan Garber band at the Trilaxon. Karzas is remaining loyal to WGN, with whom he has been associated for many years. NBC is particularly anxious for these spots, due to the inclusion of another local station to its sustaining schedule, the Chicago Federation of Labor union, WFL. With another extra mouth to feed, the local web feels that it needs more sustaining night time talent to take care of the demand. And even all of the NBC bandshifments have been unavailing. On the other hand, it is reported that Frank Berling and Byrdell will shift the College Inn wire from NBC to WGN.

## SEATTLE TIMES MAD AT RADIO AGAIN

Seattle, Feb. 26.  
Scooped by local stations getting Press-Radio Bureau reports on the Hauptmann verdict. The Seattle Daily Times the following day adopted a policy of absolutely no radio publicity stories, carrying only program listings.  
Times had an extra edition printed first week, announcing that the jury had recommended leniency came into the newspaper offices and was on the press before the correction denying the leniency clause came through. That cost the plant plenty of time and money. When the 'extras' finally did reach the street, radio had already reported the verdict. Newspaper sales were not what the editors had expected them to be.

A year ago all Seattle papers cut out all radio publicity for a while. Circulation demands brought the program listings back in the columns again, and gradually more and more publicity stories, with extra big doses in the Sunday editions. It began to look as if the newspapers, accustomed to the time they gave radio in listings were making a race of it to see which could build up the best circulation-grabbing radio department.  
Times' reversal of the policy cuts radio publicity in that paper to a minimum; but the Post-Intelligencer is yelping for more ether ballyhoo.

## WBAL After Celebs

Baltimore, Feb. 26.  
Till recent weeks Nancy Turner, stylist aplier and celeb quizzier on WFER, had things pretty much her own way when she wanted to hook a w. k. visitor to town and give him a person up before a mike. Now, however, for the first time in about a year she has some competition on her hands.

Hearst-owned WBAL has gone in for such stunts, and has unlabeled a tough setup. WBAL last week took Bebe Daniels (here in legit 'Hollywood Holiday') away from Miss Turner after the announcer play by promptly plugging the interviews with reams of copy and art. Furthermore, use name columnists from the sheet to do the interviewing.

## CRITICS MAKE BAD ACTORS, WGR THINKS

Buffalo, Feb. 26.  
To critics of current programs as revealed by letters during official squawk week, WGR and WKWB are saying, 'Let's see you do better yourself.'  
Listeners will be given 30-minute spasms twice weekly for production of their own efforts and ideas. Letters suggesting program hunches were answered with the invitation to visit the studios and show the production staff how it should be done.  
Studio staff will keep hands off productions except for regular announcer who will tell what it's all about.  
Radio workers make terrible broadcasters, as Buffalo listeners discovered when Roger Baker, WGR and WKWB sports announcer, made the rounds of the studio staff with a portable mike to get informal behind-the-scenes interviews on how a studio is run.  
Baker worked with 150 feet of cable and a desk mike, allowing him to move freely from office to office. Most of the boys and girls, despite their daily association with microphones, showed violent symptoms of mike fright.

## TIED BUT NOT TOO TIGHT

Hearst Station Withdraws Azaal, Hearst Columnist

Baltimore, Feb. 26.  
Hearst-owned WBAL to sell a commercial last week offered Louis Azaal, columnist on Hearst's local sheet, News-Post, then shortly after rescinded the offer with the explanation that it is the policy of the station henceforth, not to tie-in the identities on the newspaper too closely with the station. Seems is a general policy throughout the Hearst chain of stations and rags.  
According to WBAL the only individuals connected with the sheet who will be fostered over the broadcaster are the daily 'Globe-Troster' and the Radio Club Master. Be glad the sheet in their air-casts, with the time paid for by the paper.

## American Jazz

Paris, Feb. 17.  
Aldin Roman, who came here from Nova Scotia nine years ago to study music, has broken into French jazz with a 14-piece band. Broadcasts Wednesdays, Thursdays and Saturdays from Poste Parisien, and claims to be the only French band leader who dares put American type of hot jazz on the air.  
His regular spot is Café de Paris, where he plays nightly.

# RADIO SHOWMANSHIP

(Stunts, Tie-Ups, Program Novelities)

## Outstanding Stunts

DRAMATIZED RATE CARD

WINS, New York

MINUTE MYSTERIES

WTMJ, MILWAUKEE

STUDIO BREAKFAST

WTEN, PHILADELPHIA

SAWING A SPONSOR IN HALF

WHNN, NEW YORK CITY

WINS Dramatizes Rates

Station WINS is announcing its new rate card evolved by a unique method of telling it to the trade. Figuring that a cut and dried statement would get less attention than an arresting piece of literature, Lewis Hohl, of the sales staff, borrowed from the station's department some continuity blanks. As set up the announcement of the rates reads as a continuity with the following in the program.

Announcer—Hearst Radio. Production—Sales Dept. Music—Martini. Sound—Logic. Cast—Perfect. Case—Walter Preston and an advertiser.

Title—"Free Air Or Who Pays the Rent?"

Then followed in regular continuity style an imaginary dialog between sales manager Preston and a prospective client during which the new rates were mentioned and analyzed.

Milwaukee Telegraph Co. Likes It

Robert A. Johnson, company, county and candy maker, Milwaukee, is sponsoring "Minute Mysteries" as part of a half-hour program over WTMJ.

Mystery broadcast early in program with the solution left untold. Listeners are asked to telegraph their solutions so that a winner can be picked and announced before program is over.

If located within Milwaukee winner gets cash prize by messenger at once. If outside Milwaukee cash is sent by telegraph.

Doughnuts and Coffee Show

Philadelphia.

Audience reaction to visual broadcasts via WPNB has reached such proportions that the studio is airing a daily revue at 9:15 in the dawn. Attraction for the audience is an offer of all the coffee and doughnuts they can dunk for a quarter. It was expected that the studio would be jammed with early intowners catching a quick dunk and a laugh before office hours. Instead, a research proved that the audience was composed mainly of housewives. Now the station is wondering how long it will take breakfast huddles to complain of WPNB's interference with domestic bliss.

## ...AND WE CAN PROVE IT WITH RESULTS!

SOME advertisers have come to depend on WHB as the "station that gets the results." Others, who have been loath to stay on the air, have learned that WHB is a cheap milk-pail. Still other advertisers use WHB to make sales direct from their own broadcast spots or through dealers. And do they make "real" results who live here and really know Kansas City's listening habits use WHB more than any other station.

One food advertiser found that his quarter-hour spot on WHB pulled many times more "Coke Biscuits" than his chain program on another Kansas City station. Several other advertisers have found that WHB gets the coverage in Kansas City that their network programs failed to deliver. If you have the same doubts as to the effectiveness of your chain coverage in Kansas City, WHB can cure them. "Do your business!" We're sorry we don't have domestic facilities, but we worry do not, mikes! So

## Saving Sponsor In Half

New York City.

A kiddie hour to end all kiddie hours is a stunt program on WHNN, New York. Handed daily by Perry Charles and Ward Wilson, Program makes no attempt at coherence or sense an imaginary sponsor is sawed in half at the finale.

Hour changed from a morning schedule to 8:30 p.m.

Jimmy Allen News

Latest giveaway that Richmond Oil has hooked up with its "Adventures of Jimmy Allen" disc series is a bi-monthly paper for the kids. First issue will be distributed through the station, the last of this week and can only be obtained by the youngsters driving into the filling depot with their adults.

Paper, tagged "The Jimmy Allen News," will contain aviation news, instructions on airplane building and a serial story. Spot series which is now in its second 13-week cycle lays claim to a membership of 60,000 youngsters in its Jimmy Allen Flying Club.

Selling Time to Churches

Cleveland.

By emphasizing the power of air publicity for churches, with Father Connelley as best sales man, John Patti sold two of city's biggest churches and half-a-dozen others on the idea of a series of alternate Sunday WGAR programs.

Novelty was especially low rates for all members of the group. Individual churches have been airing themselves periodically, but never before has so many different denominational churches been willing to get together in such a co-ordinated program. "Cleveland Radio Hour of Worship" Sunday programs, first 11 a.m. pick-up was inaugurated by Trinity Episcopal Cathedral for entire hour service. Address by Dean Chester Burge Emerson and Edwin Arthur Kraft's organists each church included. One novel angle was that five mikes were planted in cathedral to insure perfect reception, but hidden so well nobody got mike fright.

Scarlet Fever and Radio

Milwaukee.

More than 15,000 children under the age of seven, barred from Milwaukee schools by health authorities in effort to check a scarlet fever epidemic, are getting their education via the air.

Two 15-minute radio programs are being broadcast by WISN in co-operation with the public school teachers, who instruct the children on what work to do at home. WISN has a similar series.

School ban will be lifted March 18.

KSTP's Cake-Baking Contest

St. Paul.

Radio cake baking contest has been staged in KSTP's weekly comedy show. The idea of stuffing up dough and making it palatable. Although the stunt is tied in with a commercial program and was originally conceived as a sort of plug for the product it purveys, it has

built, during the three weeks it's been on, into gigantic proportions. Cash prizes of \$25, \$15 and \$12 are given to the individuals turning in the three best cakes. Next three win honorable mention and two packages each of Pearson's cake-tasting flour. All other contestants each receive one package of the cake flour.

No strings attached to the offer, no box tops or sales slips are necessary. Sponsor wins the program on word-of-mouth basis, asking that housewives use Pearson's flour and none other, and rely upon their honesty in half at the finale.

Best cakes are determined by the "bliss" method. KSTP studios cutting one slice from each cake and munching several bits to determine which of the many creations has the best taste. All cakes are then awarded to the two children's hospitals and the resultant sympathetic appeal of the project pulls in many cakes from persons who would not donate the prize coin to these hospitals, if their efforts should win. Latter day results in beautiful good will for the sponsor and his product.

There's no limit set on the number of cakes any one individual may submit. Men and women, young men, boys and girls may compete. Only requirement is that they bake the cakes and bring 'em into the studio Friday of each week.

Interviewing Survivors

Seattle.

Making headlines for the newspapers and an international broadcast, was the arrival in Seattle aboard the USS "Albatross" of survivors of the ill-fated Japanese liner, Hokuman Maru, which foundered recently in the North Pacific. The ship was rescued by the USS "Albatross" and the survivors were taken to Seattle. The ship was carrying a large number of passengers and crew members, and the survivors were interviewed by the radio.

Most difficult spot in the arrangements, when the whole works hung in the balance, was the 10 minutes just before the broadcast. It was scheduled for 5 p.m. The boat, due in at 4:15, did not dock until 4:30. The ship was surrounded by a swarm of cameramen, photographers and reporters up the tunnel-like stairs. The ship was suddenly lurching. By the time technicians and announcers were on board, they had lost four minutes in which to set up equipment and round up speakers. They made it.

Prize winner was KSTP's announcer, conducting the program, the Japanese captain, his first officer, and the Japanese consular agent. The Japanese captain, who was last to leave his sinking ship, Captain and first officer, and the Japanese consular agent, Jackson, told their stories of the heroic rescue effected in heavy seas. Various members of the crews of both ships also were interviewed on the air.

Bring Job-Man Together

Macon, Ga.

WMAZ Macon is assisting the national re-employment program by doing a series of radio spots in locating a man or woman for whom a job is available. An announcement is made on the radio, and within a few minutes, it has been shown.

Whenever a job is found for a person who is not new to the people this procedure is used. It takes only a brief announcement between programs.

Sears, Roebuck Contest

Rochester.

To get a line on listener response, Sears, Roebuck store here is offering prizes for a name for its new "Sears Roebuck" contest.

Bait includes a radio set and seven other prizes.

Controversial Debates

Boston.

WMAZ, Boston, going in for a series of no-decision debates between college students. Last week Harvard argued with Dartmouth on subject "That the Several States Should Adopt Legislation for the Socialization of Medicine."

On Feb. 27 University of New Hampshire debated with University of Puerto Rico on "That There Should Be Legislation to Prevent the Manufacture and Shipment of Arms and Munitions." Tomorrow Stanford U debaters come to Boston to have it out with Harvard on "All Collective Bargaining Should Be Done Through Non-Company Unions and Protected by Law."

During the winter this sustainer series has brought in a mass of mail from the more serious minded listeners.

Unprepared Philadelphia

Philadelphia.

Latest worry of local program directors is the barren content situation in Philly. Town has been little extensive material in the past, and sticking strictly to the repute type of show.

Now that several of the locals are beginning to offer some competition here, a once over of the talent reveals that not only doesn't Philly offer quality other master-of-ceremonies, but it also completely lacks a single comic. Program builders, with prospective sil-

# New York Radio Parade

By Nellie Revell

Last Tuesday eve a stranger called the desk on the 22nd floor at CBS, Helen Fox, the hostess, had this to contend with. The stranger wanted to know where to apply for the amateur show auditions. Asked what his specialty was he replied a Punch & Judy show. When informed that a Punch & Judy opus was not the best entertainment for radio since it cannot be seen, he answered to the effect that what is the difference since the show is broadcast from a theatre!

## Columbians in Town

CBS visitors to NY: Earl Gammann, vp of WCCO in Minneapolis; J.L. Van Valkenburg, vp of KMOX in St. Louis; Tom Gooch, owner of KRLD in Dallas; S.H. Patterson, owner of KOB in Colorado Springs; John Shepard, owner of WNAJ in Boston; B.Y. Flanagan, commercial manager of WSPD in Toledo; H.J. Brennan, manager of WJAS in Pittsburgh; R.M. Thompson, commercial manager of WJAS; and Edward J. Samuels, commercial manager of WMAJ in Springfield. NBC visitor: Rock Clark, radio editor of Bridgeport, Conn., Post.

## Short Shots

Though the Goodrich show will undergo changes galore before airing, B.A. Rolfe will probably be the handmaster of the show. A new WMCA amateur show will air from stage of the Fox Bklyn theatre during the week. Calix Frune and April Growers are sponsors with a different local grocer chain taking a plus each week. NBC gave a nice touch close to 4,500 folks through NBC studios on Washington's Birthday. At 4c a head that is not spinach. Gertrude Berg has a new script ready to air after the House of Glass is sold. This one is titled "The 5th Wheel with Mrs. Berg taking the part of an immigrant servant girl who is a singer. He is radio contact man for Mel-O-Music. Gladys Thornton has a brother in Florida who supplies her with genuine yams. Gladys gifts the folks about CBS with them. Ruth Robbins is no longer singing with the Leon Navarro. Lester Lannin-ork-in-at the hotel (no relation to Leon). Navarro, who has a CBS wife, Frank O'Connell, is the Yale Glee Club for the next Yale week. The Voice of Romance, a lad named Maurice, now on air on CBS, will be aired on NBC also; the NBC has a sustaining spot with that title. Maurice is really Maurice Abrams and did a two-year stint in Law School at Temple U. Lucille Manners is set for a series on Cities Service. Jessica Dragonette interested in some movie angles.

## Scrambled Notes

Palmolive Music Box which does a one-hour condensed operetta each Tuesday eve on NBC is contemplating a cut in time. They auditioned a one-half hour condensed operetta. Also auditioned and set the Gertrude Berg script which will mean a 45-minute total for Tues eve cut of one hour. Milton Lewis writing a script for Herb Williams for radio. Will break in act on the Vallee show. Helen Macfadden, daughter of Bernarr, who sponsors a program on ABC, starts a sustaining on WMCA. Horace Heidt and choral leader on Ship of Joy show on CBS has the Kine Kine, Alyce, Louise Marline, Yvonne, Donna and Anna. All real sisters and singers, he says. David Gray, who has been on the NY Philharmonic concerts over CBS, once wrote music reviews for the Louisville Courier-Journal. Ruth Etting and Modern Chord did a broadcast last week for BBC. Bernie Cummins, the Hotel Roosevelt singer, isn't singing these days because of a bit of throat trouble. Irv Kaufman, CBS musical man, is facing the prospect of leaving this week. Doing a series of organ recitals with Lew White. Personal appearances throughout New England and returning each Sunday for his broadcast. Emil Coleman ark sticks at Persian Room of the Plaza. X. Cugat reest for Waldorf until Oct. Glen Gray ook also renewed with the Camel program on CBS. WMCA and ABC are feeding over ABC feeding the Harlem Ambassadors and the ABC NY outlet last Wed eve when WMCA was on air with the show.

## Stand By

Albert A. Cormier has been out of WOR for a good couple of months which is where WOR NY office is located. Sam Fuson, head of Erwin Wasey press dept. in Miami Beach on combined big and pleasure. Burgess Meredith will return to legit for Kate Cornell this spring. He is set for "Barretts", "Candida" and one other. At present is "Red Davis" on NBC. Chick York and Rose King did a CBS audition. Easy Aces did their 1,000th broadcast last Monday. When Gene Markey guest-acted on the Ed Lyman ark on the Hammerstein Music Hall of Air show last Sunday 'twas the singer's first ark shot with Lyman, though Abe discovered Gene some years back. Fickens Sisters rehearse their Sunday Golf show at midnite Fridays. Only time they can get together with Chas. Winkler and Frank Tours. Jack Cole, Lennie Hayton manager, reading a new alert spot on West 52nd st. opens Friday. NBC active bureau has signed the "Three X Sisters" for 26 more weeks effective March 4. Vivienne Segal got the Bayer Aspirin show without an audition.

ents yelling for humorous presentations, complain that the situation is dire indeed.

Explanation of course is that the money was never forthcoming for legitimate waits. Accounts willing to spend any money at all demanded an Eddie Cantor for 50 bucks. Most of the studios presenting review programs have done so on the non-payment of sustaining talent policy, which has been okay for everybody but singers.

## WOR's Ceremonies

New York City. Dedication program for WOR's new 50,000 watt transmitter on March 4 to last practically all day and night. Starting at 12:30 p.m. Feb. 28 Ambey News will air a post on the transmitter site in Carteret. A 3:30 program continues from Carteret station, Newark with executives, etc. on history of the station.

## WCAU Grabs a Break

Philadelphia. WCAU broke into the Metro newscasts this week in connection with the debut of Joe E. Ross, singing Casanova in uniform, on a Columbia show piped from Philly to the network. Twilmer has a legit tenor voice, and is already adored by the station's artist bureau.

Phic was shot in the WCAU studio, singing Casanova in uniform with Jan Savitt's house band in the background. Pitcher played a few words about nervousness and then warbled June in January.

## DA BAILEY ALLEN

Foremost Broadcaster to the Homemakers of the Nation

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KANSAS CITY'S DOMINANT DAYTIME STATION

## FACT BOOK - FREE!

descriptions of pictures, program popularity, and other facts. Write for this free booklet to the Kansas City office, you can be so assured to receive it. Write to: KSTP, 1212 Broadway, New York City. We'll deliver the "Fact Book" free to you.

# Amateur Cycle Continues

Baltimore, Feb. 26. Amateur night is held weekly over WCBM from stage of the Royal theatre, negro vaudeville house. The station and theatre split the gate. There has been so much talk and so many myriad complaints that the police were brought onto the scene last week's show. Amateurs had been going to the cops with complaints that they didn't get a fair chance before the audience howled for 'em to be gone. Police asked the manager of the theatre if he would permit a couple of unlicensed pavement-pounders to attend the show and observe the demands of the almon-pure performers. Management asked request.

There had also been complaints from nearby residents that the amateur nights were no noisy that they constituted a nuisance. Cops were in to quell the raucous a bit, also.

Detroit, Feb. 26. Amateur craze has hit this burg. Radio stations, theatres and night clubs have gone for the embryo professional idea with a vengeance.

Sam Ruben has engineered the amateur and costliest of the would-be-actor shows, by getting the R. L. Dunn cigar manufacturers to sponsor program that will originate from stage of the Fox theatre, and be

aired over WJR. Program starts this Friday (1) and runs 13 weeks. Meanwhile, Emerson Gill at the Wabster Hall cocktail grill has the 'Gill Amateur Night Singers' with winner to receive two weeks' engagement with Gill. Event is to be held every Monday evening, with guests serving as judges.

WXYZ, the basic station of the Michigan Network, inaugurated a Thursday afternoon session of amateurs. This is unsponsored, but efforts are afoot to land a commercial.

Dallas, Feb. 26. Alice Joy on tour of SSS network will go to Louisiana for two weeks early in March to review talent for 'Southwest Amateur Night'. First program from KWKH, Shreveport, Mar. 5. Second Mar. 12 from Lake Charles studio of KFDM, Beaumont. Sponsored by Universal Mills, Ft. Worth.

Programs weekly thereafter from KTRH, Houston; KTSa, San Antonio; KNOX, Austin; WACO, Waco; KRDL, Dallas. Possibility of KTAAT, Ft. Worth, repeat, Tracy-Locke-Dawson agency officials say.

Lincoln, Feb. 26. E. A. Patchen's 'Opportunity Night' stunt on radio is in conjunction with Orpheum theatre's stage shows once a month. Gag is that the theatre sponsors an opportunity broadcast each Sunday night, at which time (15 min.) about four entries are allowed before the mike to do their air stunts. Winner via the radio audience and the winner over the month gets a spot in the stage show at the Orpheum at professional pay.

Started two weeks ago. Waiting list is already two months ahead. Stunt is ethered over KFAB.

Buffalo, Feb. 26. Roy W. Nagle, who puts on two sponsored programs weekly over WKBY and WEBR, has found a fresh and free vein of talent in the secondary schools of the city where trained youngsters who are panting to get on the air stand.

Strong recommendation for the idea is that it gives Nagle's programs a tailor-made audience in advance, the schools joining in the ballyhoo when "our boys and girls" go on the air.

In a high school of 2,500 or 3,000 pupils, a formal announcement is made at the morning assembly that the school gives club, say, is going on the air that night. Announcements are posted in each study room, and the kids are urged to tell their parents to listen in, so mamma and papa can learn what the school is doing in musical education.

In Bennett High School here the radio idea is so hot that the kids have formed a Radio Association, the object of which is to produce their own radio revue.

Milwaukee, Feb. 26. 'Talent Quest', an amateur night idea, has been taken commercially by the Sanders Clothing company and is broadcast Sundays at noon. Winners of the most votes get \$10 and \$5 respectively.

Sunsweet Amateur Show is the name of a new novice hour which Duffy-Mott Co., Inc. is sponsoring over WMCA, New York. Program is broadcast from the stage of the Fox-Brooklyn theatre, and uses neighborhood talent.

Airs on Monday nights from 9 to 10 o'clock. Contract runs for period of 52 weeks. Duffy-Mott firm is the label for the California Prune and Apricot Growers' Association.

Hollywood, Feb. 26. KFVB has gone for the amateur night gag and will devote 20 minutes of its Sunday night Hi-Jinks program to the elmon pure.

Hi-Jinks, a four-year institution on this station, is being shaken up with around half the regular talent going off the hour. Under the new setup Don Allen will m.c. the program with Willard Hall handling the amateur end.

Lynchburg, Va., Feb. 26. Only the talented need apply is, in effect, the advice given by radio station WVA in announcing a new series of 13 amateur programs to be held on as many Friday evenings.

Station has been offering amateur nights catering to all kinds of would-be performers. Idea apparently hasn't panned out so well—hence the advice that the station is looking only for those who have something.

## FCC UPHELD AGAIN

KWWG Move As Authorized Okay With Court

Washington, Feb. 26. Transfer of station KWWG from Brownsville to Port Arthur, Tex., was approved by the District of Columbia Court of Appeals Monday (25), in a decision sustaining Federal Communications Commission.

Court held that move would not interfere with KWTX of Beaumont, which had sought to block the shift, and rejected contention that KWWG transfer would not be in the public interest.

Second court decision in two weeks sustaining FCC findings. Other referred to WLW.

## Class

Three staff pages in uniform preside over the waiting room at WOV's new studio at 132 West 43d street now. Visitors are greeted formally and asked their business before being shown into the lounge. Lights are also dim so newspaper reading will not be encouraged. All very trim and business-like.

With the removal this past week, an auxiliary unit was added, the staff orchestra under Julio LaRoe's direction. Being in a noisier neighborhood now, has prompted station to add to the Heart of the Times Square District to its identification call.

## Converted Mansion as WEBR's New Studio

Buffalo, Feb. 26. WEBR formally opened its new studios at an invitation party last week. Station now occupies former private mansion, made over into radio quarters with \$40,000 in equipment and trimmings.

Three floors are occupied with studios and offices. Top floor studio seats 300; has stained glass windows, built-in microphones, and console organ. Whole plant is decorated to keep up the home-like atmosphere which the mansion once boasted.

Additional features are shower room for staff and restaurant in basement. New layout stacks up as probably the most elaborate in Western New York.

WEBR has branch studio on East Side and has as regular members of its staff German, Polish and Italian announcers who handle programs designed to strike all layers of town's motley population.

## Coast Eye Opener Gets Swing On Don Lee Web

Los Angeles, Feb. 26. Sunday morning breakfast program, a variety bill utilizing station talent which has been a solo on KHJ, has been extended over the eight principal stations of the Don Lee coast network.

Plus the station talent, program features Judge L. R. Dawson, traffic court judge, who is currently handing out heavy swats to violators in a police campaign against auto speeders. Judge Dawson tells what not to do when one has a steering wheel in his hand.

## Here and There

(Continued from page 47)

the commercial over WGAR for 39 weeks, was so tickle he took time off to get married in Ripley, N.Y.

Bill-Shepherd-is new WHN, New York, announcer.

Bille Lowe back at KFWE, Los Angeles, as staff singer.

Ben Bernie hikes east from Hollywood around March 1.

WAAW, Omaha, has Adam Reinmund handling sales and two hours daily of programs of his own. Comes from WIBW, Topeka.

John King, managing editor of Dallas News giving late news reports over WFAA, Dallas.

Jimmie Jefferies up from the south to do some New York auditions.

Phil and Irma Osborne back on WINS, New York after a three month's vaude tour.

Fred Palmer of WBNS, Columbus, visiting Chicago to check accounts.

Frank Moran new WOR Staff announcer.

## FCC's Washington Hearings

Washington, Feb. 26.

Pleas for two new stations and a pair of power boosts slid through the Federal Communications Commission last week while a dozen applications were carded for hearing and another dozen new petitions were filed.

New stations, both one-lungers, will be at Pecos, Tex., and Hutchinson, Kan., both using 1430 channel. Owners will be Jack W. Hawkins and Barney Hubbs, and W. B. Greenwald, respectively.

Sustaining Examiner George Hill, Comish upped night power of KTAZ, Phoenix, Ariz., from 500 watts to 1 kw. Application of KMBC to jump day power on 950 from 2 1/2 to 5 kw. was okay.

Grant authorizing day power increase from 1 to 5 kw for WWJ, Detroit, was recalled and slated for hearing because of squawk from WAAF, Chicago.

### On the Calendar

Other applications slated for examiners' attention were: Oklahoma Press Publishing Co., Muskogee, Okla., new station on 1500 with 100 watts; Mid-Central Broadcasting Co., Kansas City, Mo., new station 1370 with 100 watts; Walker Jamar, Duluth, Minn., new station on 1200 with 100 watts; WEIN, New York city, increase day power from 1 to 5 kw; WCEB, Allentown, Penn., modification of license to jump from 250 to 500 watts; WBNO, New Orleans, modification to change frequency from 1200 to 1500 kc; WDBG, Minneapolis, Minn., increase day power from 2 1/2 to 5 kw; Winger & Thomas, Chattanooga, Tenn., new station on 1300 with 100 watts; Samuel N. Morris, Stamford, Tex., new station on 1430 with 100 watts; Edward Hoffman, St. Paul, Minn., new station on 1370 with 100 watts; WEAN, Providence, R. I., extension of special authority to use 250 watts additional nights; and KGKO, Wichita Falls, Texas, extension of special authority to use additional 250 watts nights.

### Special Hearing

Proposal of the Hotel Eagle, Eagle Pass, Tex., to pipe programs to XEPN, Piedras Negras, Mexico, was readied for special investigation, with broadcast division ordering Commissioner Thad Brown and Assistant General Counsel George Foster to hold hearings at San Antonio next month. Mexican outlet is operated by 'Hello World' Henderson. Brown also was ordered to look into renewal application of KFBI, while in San Antonio, and to jump to Los Angeles for inquiry into renewal request of KMPC, Beverly Hills. Comish simultaneously ordered four other California stations, KFVB, KGF, KDFW, and KRKD, to submit renewal applications in connection with the Beverly Hills request and ordered Brown to probe the whole situation.

New requests carded during the week include: George Bissell and Herbert Littlefield, Watertown, N. Y., new station on 1430 with 100 watts; Roy L. Albertson, Buffalo, N. Y., new station on 1370 with 100 watts night and 250 day; D. A. Wark and H. H. Hedstrom, Twin Falls, Ida., new station on 1500 with 100 watts; KOMO, Seattle, Wash., increase day power from 1 to 5 kw; Frank Lyman, Jr., Portland, Me., new station on 1210 with 100 watts; D. B. Sutton, Miami, Fla., new station on 1210 with 100 watts; Lafayette Advertiser Gazette, Lafayette, La., new station on 1310 with 100 watts; A. O. Jenkins, Jacksonville, Fla., new station on 610 with 250 watts night and 500 day; KPCC, Pasadena, Calif., increase from 50 to 100 watts night and 250 day; and Carl C. Struble, The Dalles, Ore., new station on 1200 with 100 watts.

## THANK YOU, RKO

FOR THE CONFIDENCE YOU HAVE SHOWN IN SELECTING ME AS HEADLINER AT THE ALBEE MEMORIAL, BOSTON, FOR THE CONCLUDING WEEK OF THE ALL-STAR AND BOX-OFFICE RECORD-BREAKING "GOLDEN JUBILEE CELEBRATION"

1st Week—Joe Penner and Boswell Sisters  
2nd Week—Phil Baker, Jack Whiting, Mitzi Mayfair  
3rd Week—Casino de Patee Revue and Milton Berle

4th Week—

## IRENE BEASLEY

THANK YOU, RADIO FANS FOR HAVING VOTED ME "RADIO QUEEN OF 1934"

(This Campaign Was Conducted by the Leading Radio Magazines Throughout the Nation)

## IRENE BEASLEY

DIRECTION  
FERD SIMON

## DeWOLF HOPPER

WITH RHYTHM SYMPHONY  
SPONSORED BY  
**UNITED DRUG CO.**  
Sunday, 3 P.M., CST  
NBC  
COAST-TO-COAST  
Personal Management  
**H. C. HOWARD**  
Fine Arts Building  
Phone Harrison 3709  
CHICAGO

RADIO'S NEWEST, LOVELIEST VOICE  
**BERNICE CLAIRE**

"Lavender and Old Lace"  
(HAYEN ASPHIN)  
WABC, New York, N.Y.  
5-1230 P.M.  
Coast-to-Coast  
Direction: LESTER LEE, RKO BLDG., N. Y.

**ABE LYMAN**

AND HIS CALIFORNIA ORCHESTRA  
COAST-TO-COAST  
WABC—Tuesday, 9:30 to 9 P.M., EST  
(Phillips Dental)  
WEAF—Friday, 9 to 9:30 P.M., EST  
(Phillips Milk)

**CARL FREED**  
For  
**HOHNER HARMONICA**  
Mutual Broadcasting System  
SATURDAY NIGHTS  
WLW 7:15 P.M. E.S.T.  
WOB-WGN-WYZZ  
7:30 P.M. E.S.T.  
Per Dir. O. L. OZ  
Columbia  
5-1330

AND HIS HARMONICA HARLEQUINS  
**EMERSON GILL**  
AND ORCHESTRA  
HOTEL WEBSTER HALL  
DETROIT  
MCA DISTRIBUTION



# Radio Chatter

## New York

Felix Ferdinand into Normandie ballroom at Boston.  
Joe Reichmann staying at the Statler, Boston, until April 1.  
Earl Moss, new baritone with Leon Navara's orchestra.  
Phil Spitalny's all-femme band signed for another year.  
Barney Clothes has renewed its Irish series over WNEW, New York, for period of 52 weeks.  
Jack Feeny, tenor; Kay Reed, organist, and band are used.  
John Sheehan, a newcomer to WGY's announcing staff, floored staffers who had been giving a long series of do this—don't do that talks by upping with the statement that he first faced a mike in October, 1920, 16 months before WGY began regular broadcasting.  
WGY is giving non-staff script writers an opportunity to show their

stuff in one-shot sketches acted by the WGY players. First one was presented on an early evening swing last week, the author, Mary Irene Warner, described as an Albany newspaper woman. A 15-minute sketch, "A Tale of Marriage," was put on by a cast consisting of Robert Stone, Millicent Stuyves, Roberta McWade and Jack Higgins. Miss Warner and Higgins are new names on a WGY program.  
For all-for all for WINS announcers is a regular Saturday morning, spread now. Bill Boher, chief of the control room, steps into the regular staff does its stuff. Each one given seven minutes to try anything they have in mind.

## New England

Stirling Couch, program director of WDRB, holds a new find in Evelyn Stein, picked from a recent Hartford amateur program and now on sustaining.  
Harriet Lee, WTIC, sprained ankle and missed a number of broadcasts.  
Announcement made of marriage on March 4 of Walter Johnson, commercial department, WTIC, Hartford.  
Keweenaw O'Neil added to commercial department of WTIC, Hartford.  
Champ commuters are the girls in the program department of WTIC, Hartford, all living more than 15 miles from the city and making the trips daily.  
Hartford, has one program airing in Italian.  
Reminded that Scott Furriers of Boston may bring local amateur contest, under Hartford, with auditorium for free admission to public.  
Virginia Thompson and Virginia Lund back on WICC, Bridgeport, band.  
Carlton Weldenhamer, announcer, and Dolores Hanford, soprano, are slated on WICC, Bridgeport.  
WICC readying Alma Dettinger's second original musicomedie, "Hillbilly-Hilda." Flo-Ballou, George-Bow, Val Elmer, Jud La Haye and Lou Weiss co-opping on tunes.  
Bridgeport Musical Research club opens spring series next Sunday (3) on WICC.  
Gladys Swarthout to Bridgeport Monday (25) for recital.  
"Open House," combination studio and amateur hour launched only a month ago at WICC, Bridgeport, was commercial March 10 with Bork & Stevens, bakers, sponsor.

Thomas G. Husey, formerly of WFPE (University), who was at comes to WNAC, Boston, as announcer.  
Jerry Harrison, director of public relations of Yankee Network, goes to Florida for a 10-day vacation.  
Caroline Cabot of WEEI, Boston, addressed the Brimstone club on the subject "Behind Scenes at a Broadcasting Station."  
Fred Roth, former police reporter on Boston Globe and now advance man for "Petitcoat Fever," visiting with Ethel Burton and Vic Whitman of WEEI, Boston, old cronies, also ex-newshounds.  
Fred Lang, transmitter operator of WEEI, Boston, who was at bound for 24 hours in recent blizzard, will be more comfortable the next time. Lang has installed a comfortable cot and cooking utensils, "in case."  
Francis Burns' bartoning Wednesdays at 6:30 over WEEI, Boston, watch catching.  
Lillian Beverly, singing with Joe Rine and her WBZ, Boston, and appearing at Club Mayfair in floor shows, terminates her seven-week run here to take up postponed bookings in New York.  
The Goats' Saturday morning special over WEEI, Boston, goes to new time, 12:15 to 12:30, to be followed by Saturday stock market reports.  
Dolly Moran's interview by Linus Travers of WNAC, Boston, from the Met theatre lounge the other night was a wow—mainly because both Miss Moran and Travers ad libbed their way through it. After first question, Polly threw the script to the winds. Drew more phone contacts than anything done on the "News, Views and Interviews" series this winter.

## Pennsylvania

Ed Hitz handling Philly special for NBC out of the local office.  
Jack Steck's WPNZ Last Round-Up is airing from the Pierre Rort nightly.  
Gary Gavin has replaced Bobby Heath at WPNZ as m.c.  
Bob Harding, former WIP announcer, is back at the station as audio accompanist.  
Joe Morrow, WCAU engineer, walking around in a fog. He's engaged.  
Marcia Wilt is latest addition to WIP publicity department as assistant to Jimmy Allen.  
Pete Woolley being sent for guest

shots on CBS shows under WCAU artist bureau management.  
Don Wyckoff's new WFIL office overlooks Independence Hall. Exec, who just found out that building it was after two weeks of looking, was born July 4th.  
Jerry Crowley, former WIP program head, has left the p.c. chore at the Asarco for New York.  
Harold Davis, WDAS exec, is cornering the market as amateur show m.c., doing stints at Pays and Earles.

"Times Have Changed," a light opus at the Garrick, Philly, is being backed by Fitzgerald, with Owen Davis, Jr., whose father scripts the NBC "Gibson Family" show, playing a lead role.

## Pacific Northwest

KOIN, Portland, enlarging studio quarters again. Second time in the past six months.

Seattle, Grille orchestra now heard daily over KOA, Spokane.  
Carl C. Struble, Dallas, Ore., has filed application for a permit to operate broadcast station of 100 watts power, unlimited time.

Herman A. Keys has joined the KGW-KX, Portland, sales staff.  
Broadcasting a one-shot program for Sterling Cosmetics, the Trail Blazers, a hillbilly orchestra, netted 54 letters to KEX. As a result, KEX gets order for a repeat program.  
Back on KOIN after quite an absence is Del Milne and his band, playing his time from McElroy's Spanish ballroom.  
Harold Gibney has been annexed to the KGW announcing staff. He comes from KTAB.

A series of five-minute transcription programs was recently commenced on KOIN for Nourishin Hair Tonic. They consist of dramatization of short stories.  
Watson Humphrey, program director of KGW-KEX, spent last week in Boise, Idaho.

Gene Baker and Ruth Messmer furnish the singing for the Little Show on KOIN.  
Don DeFonzo's orchestra, recently back from two years in and about New York, is on KGW and KEX on a regular schedule from DeFonzo's ballroom.

## Illinois

Leonard Cox off the WBBM production staff.  
Dave Newlin doubling in brass on WIND, Gary.  
NBC performers and staff "inquiring" reported by the Chicago Times tab.

Lowell Blanchard, formerly on KYW, now signing on WIND, Gary.  
Art Linkin is radio's only loyal Henric's luncheonite with the boys from the other branches of show biz.

Hank Richard doing indie script and production work.  
Charlie Calver doing six-nationality character bits on as many shows.

Eddie and Fannie Cavanaugh doubling to vaude dates.  
Jerry Akers to New York on a Midwest regional web deal.

Bis MacFarlane off for some Florida sunshine.  
Kenneth Roberts busy counting the Ames "T" tickets.

"Because of years in the meat packing biz, Les Atlas can't break that rising meat habit."  
Quin Ryan starting spring cleaning, clearing his desk drawers of an accumulation of 10 years.

Frank Schaefer's handling the banquet show for the Inland Press association meet.

## Minnesota

Starting March 5, WCCO's 6-7 a.m. span goes on sale in 15 or 30 minute lots.

WDGY broadcasts no "helpful hints for housewives," stock market reports or other gab. Station's policy is to broadcast music.

WDGY is now one of the less than six indie stations in the U. S. operating on 5,000 watts.  
Pat Murphy, WDGY's program director, like the sailor on a holiday, spends his leisure time on the air.  
When not on the air, Pat plays toastmaster at various functions.

Last week he wore the big wig at the annual banquet at Duluth.  
On the wall of WDGY's reception hall is a map of the world with 24 clocks, all electrically-run, which tell the time of day in every part of the world.

## Louisiana

Art Gilliam, "Whispering Pianist" of radio and recordings, is doing nightly commercial over WWL, New Orleans.

Bob Gregory out at KWKK as announcer.

Lionel Ricou, winner of New Orleans CBS auditions for "Open House," announcing for WDSU.  
Joseph M. Seltzer, WDSU, New Orleans, poet, has broadcast 2,000th consecutive poem.  
Tony Bacigalupi, wop comedian,

out at WWL after row over pay for Sunday night radio shows for station.

Smoky Joe and Tee Tain, black-face duo, given 7 p.m. Sunday spot over WWL.

Harry Lee's "murder plot" probes broadcast by WDSU from state capital in Baton Rouge.

WDSU's "The Big Game" on local beer commercial over WDSB, New Orleans.

WDSU has installed a program and audition board consisting of Joe Uhl, station boss; P. K. Ewing, commercial manager, and staff announcers. Board replaces Earl Smith, program director, who resigned recently. Fred Castle, formerly of WDSU, has been added to the announcing staff.

WBNO has inaugurated a series of amateur nights in search of new talent. Winner are promised contracts.

Bill Brancie, WDSB sports announcer, back at mike after sledge of flu.

## Ohio

Joe Lugar, WLW axophonist, is disapproved absenteeism champ of the Croesley staff. He clinched the title last week at the Swanik Grand City Club while playing a deb dance with Henry Thies' ork.

Lugar was in complete evening dress, save for tan shoes. Spotted in the moment his error was carefully concealed by instrument cases, until the latter were removed by a house employee.

Bob Kennett, formerly of WBSB and WFAM, South Bend, Ind., has joined the production staff of WLW, Cincinnati.

Andre Carlin, late of Chicago, is a new announcer on WSAI, Cincinnati. He is a brother of Linda Carlin, who does the Mary Shorley role for Cal Asperin on WLW, also of the Croesley org.

Acc mail daily from WLW at present is Horlick's Malted Milk program (Lum and Abner) pencil flashlight org. Stunt is fetching 11,000 responses daily.

## Indiana

Louis Barnett, WLW operator, sees boys at WFWM while in town. Mrs. Farrell's "Kitchen Clinic" now being aired on WFWM morning.

Walter Reuleaux, musical director for WFPM, doubles in amateur photography and had made a series of enlarged photo-murals for walls of new studios.

WFPM broadcasting news reports for time daily from radio radio service, plugging Cocktail Hour Cigarettes.

Marion Durbin of WOVO, Fort Wayne, parks at WFPM long enough to view the luxury of the new furnishings.

Ed Logan and his Hollywood Low Down back on the ether over WFPM.

WFPM hangs out SRO sign on spots having every break filled from 7 a.m. to 11 p.m.

Rhythm Rogues harmonizing again on WFPM's wave length.

## Western Canada

A new series of dance programs entitled High Links began last week on CPCT, Victoria.

Dean Howes heard for five minutes daily at CKUA, Edmonton, on rural observations and agriculture news flashes.

Ed Logan, who will soon be operating full time.

Clarence Carville on the Daily Calendar radio edition over CPCT, Victoria.

Henry Viney, sport news flashes, is scheduled daily on CJOJ, Lethbridge.

CFPC, Calgary, emoting the Silver Club orchestra daily.

CHWK, Chilliwack, is rebroadcasting short wave programs.

Ed and Zeb now have a berth at CFA, Edmonton.

Buster Morgan and his Lone Star Buckaroos are back at CJOJ, Vancouver.

Calvin Winter is again directing the Home Gas Concert orchestra at CROC, Vancouver.

Steve Hunsinger his Rustlers now on CPCT, Victoria.

Helen Worden and Dixie Stewart are together in Rhaphodines in the program comes from CPCT, Calgary, and is a Canadian Radio Commission show.

Charles Bullett, Jr., new station supervisor at KFI, Los Angeles.

Buckley Oxford goes to KMTF, Hollywood, as press agent, succeeding the Eisey Horn who has been upped to program director.

Evelyn Larson, KHI, music librarian, has been succeeded by J. M. Copperrith.

## Iowa

When WHO, Des Moines, Ia., barn dance frolic crew blew into Dubuque for a two-day engagement, Reggie Martin, station director, secured an outfit for two airings over facilities of WKBX. In addition he spotted his Sunshine Trio into the barn dance, on stage.

WHO, Des Moines, has a new program in the Morning Roundup from

6 to 7 o'clock Sundays, including the Brown Busters, Sunrise Symphony, Klondike Ed and the Woods Bros. quartet.

H. R. Gross, former editor of the Farm Holiday News and Iowa Union Farmer, now news editor for WHO. He succeeds Jimmy Max, while the Phillips 66 News Reporter, Gilbert Soltes to broadcast from WHO Feb. 28 preceding his lecture before the Civic Forum.

George Mundy's WWSW, Pittsburgh, orchestra off this week for Point Comfort, Va., and a dance job.

Betty Bawker on WMCA and WINS New York in Chateau Moderne to warble.

Claude Morria, former program director of KDKA, Pittsburgh, to Philadelphia and WFIL in a similar capacity.

Four Barons, septa singing quartet on WCAE, Pittsburgh, doubling into stage show at Stanley.



**UNCLE EZRA**  
(Pat Barrett)  
Featured Comedian  
Sponsored by  
ALKA SELTZER

BLANKETING THE KEY CITIES OF AMERICA. NOW BLANKING ON 2 NETWORKS; OVER NBC.

**ARTHUR TRACY**

"THE STREET SINGER"  
DR. SCHOLL'S PRODUCTS  
Evenings, 7:30-7:45 E.S.T.  
Tues.-Thurs-Sat.  
WOR-WLW-WGN-WXII

Direction  
Rocke Productions  
RKO Bldg., New York City

**SAM HEARN**

"Mr. Schlepperman"  
with Jack Benny  
7 P.M. - 8:10 P.M.  
Featured on  
Mark Hollinger's  
Penthouse Program  
8 P.M., Wed., WJZ

Direction  
Rocke Productions

**Jack and Loretta Clemens**

VENIDA  
8:30-10:30 P.M. Saturdays  
IVORY SOAP  
WEAF  
Direction  
NBC Artist Bureau and  
Rocke Productions

**GEORGE BEULER**

BARITONE  
FEATURED SOLOIST TASTYFAST  
Sunday, Feb. 28, 1935  
CALIFORNIA FARMER PROGRAM  
Starting March 3 and  
Twice Weekly Thereafter  
Personal Management  
NELSON S. HESSE  
115 East 59th St., New York City

COLUMBIA  
BROADCASTING  
9 P.M. - 11 P.M.  
Presents

**LITTLE JACK LITTLE**

AND HIS ORCHESTRA

APPEARING NIGHTLY  
IN THE SILVER GUILD  
HOTEL, LEXINGTON, NEW YORK CITY  
And on Columbia Records  
C.B.S. Coast-to-Coast Network  
Thurs. 11 P.M. Sat. 11 P.M.

**PINEX PROGRAM**

C. B. S. Network  
Wed., Fri., Sun.  
At 1:30 P. M.

**ROY FOX**

AND HIS  
BAND

**ON TOUR**

**B.B.C. NETWORK**

THE ULTIMATE IN  
NOVELTY PROGRAMS

**BORRAH**

**MEVITCH**

WOR, 8-8:30 P. M.  
Every Tuesday

**REID'S ICE CREAM**

**RAY NOBLE**

and his ORCHESTRA

WEAF NBC, COAST-TO-COAST  
WEDNESDAYS

2:00-3:00 P.M. EST 10:30-11 P.M.  
VICTOR COTY

**BOB HOPE**

**BROMO-SELTZER**

Every Friday-8:30 P. M.  
WJZ-NBC

Direction  
LOUIS SHURR  
AL MELNICK

**FIVE STAR FINAL**  
Musical  
15 Mins.  
**COMMERCIAL**  
WMA, New York

This nightly dramatization of the news has in recent months undergone considerable improvement in both writing and staging. The Grand Guignol atmosphere that usually attends the culling of news events has been pretty well eliminated, but what can still stand much tempering are the efforts of the announcer and the orchestra to out-vote each other at the opening and fadeout of the program.

Bianca has now a sponsor, the operator of the chain of Barney Clothes stores. The plug is confined to a bit of dialog at the beginning and end of the quarter hour, with plot retelling the surprising satisfaction that a Barney low-priced suit gives the purchaser.

Three news episodes upon which last Friday night's (22) program was based showed good taste and restraint in the dialog and acting. Each dramatization got to the nub of the item quickly and effectively. *Odecs.*

**RAY NOBLE**  
With Carl Bowly  
Band, Songs  
30 Mins.  
**COMMERCIAL**  
WEAF, New York

Ray Noble made his bow to American listeners last Wednesday night under circumstances which many in the trade considered as likely to handicap him. Few bandmen have had their air debut preceded by the build-up toning which Noble received. What even those closely associated with Noble felt was that the build-up was a bit too much. It might influence a goodly percentage of loudspeaker fans into assuming an attitude of: "Well, you're supposed to be very good, now come ahead and show us." Another circumstance that had "em worried was the fact that Noble's program immediately followed that of the Lombardos on the same NBC link.

Noble laid down an initial performance that should give his sponsors, Coty face powder, no cause for concern about his future. Packed into that half hour was the cream of the type of arrangements that has made Noble a decided fave among American buyers of phonograph records. It was the sort of musical interpretation that should register readily with the listener, and which Coty is after. Noble leaves himself open to but one critical doubt, and that is whether at times his arrangements are so complicated that the original melodies are lost in the shuffle. If a reaction among the listeners with the addicts accustomed to the lowdown melodic simplicities of Wayne King, the Lombardos, etc., comes about, first program resolved itself into a bright, peppery outlay of dance lore. Mixed in with ear-tingling orchestration of such recent releases as "When You Got a Little Springtime in Your Heart" and "Give Your Loving to Me" were the standards being "Lady of Madrid," "Japanese Sandman" and "I Don't Give You Anything But Love." A decided darb was the melody of his own compositions.

As the leaders of an organization of musicians that had known for only a few weeks, Noble did exceptionally well. At Bowly, baritone, whom he brought to straighten his status with the American Federation of Musicians. Bowly got himself allied with the Bromo Seltzer program.

Plug was deftly phrased and interpolated throughout the half hour. Other than the product with the program's personality ("No music, quite approaches Noble's; no face, quite approaches Coty's"), the ad copy sought to put over the point that Coty face powder offers safety and protection to complexion. Also that to now deal with Coty is the loveliest compliment you can pay your face. *Odecs.*

**OPERA HOUSE MUSIC FESTIVAL**  
Ralph Hansen's Orch., Cy Westbrook, Lymie Davis, Fred Meyer  
Rube Music and Cutups  
30 Mins.  
**COMMERCIAL**  
KOA, Denver

Associated Tailors is the local sponsor of this half hour program. Continuity well written and nearly as well put on, but the rube orchestra put too many fancy embellishments into music. The "Gray Bonnet," although cut short, was hardly recognizable. Other selections fared better and the listener could distinguish them. In attempt to ruralize the music they nearly spoiled some of it, and damaged the rest.

Sheriff Cy Westbrook (really Cy Westbrook in person) acts as m.c. and does so in first rate fashion. Repetitions are true to life (as city folks think at least). It may be a tough job for the continuity writers and the orchestra to keep the rube orchestra put on, but the rube orchestra fared better and the listener could distinguish them. In attempt to ruralize the music they nearly spoiled some of it, and damaged the rest.

Half-hour program and to run 26 weeks, one of the first big contracts to be signed by KOA since moving into their new studios. Program may find popularity with acts of the rough spots are smoothed off.

**HENDORIC de LEEUW**  
Traveling  
15 Mins.  
Sustaining  
WEVD, New York

Plays a series of travels which will cover the Spanish Main. Not so much dramatic history related as social and economic conditions of the present day. Venezuela in particular described in the opener.

Four's capers, especially those of the Americans, who immediately let go when they embark on a sea voyage, are played up in the quarter-hour. On Thursday nights at 10 p.m. EST.

**HARMONICA HARLEQUINS**  
With Carl Bowly  
Band, Songs  
15 Mins.  
**COMMERCIAL**  
WJZ, Newark

Services of Carl Freed's troupe of reed blowers has been retained for the first time in the history of the country harmonica conscious. Freed's task is a triple one—to instruct, to entertain and to sell. His initial showing for the account over the Mutual network last Saturday night (22) proved just as arresting in all three departments.

Freed revealed a keen approach to the assignment by not making his arrangements too complicated. Only in the playing of "Tiger Rag" did his unit go in for an assortment of contrabass tricks, including one from "Swanee River," the kid listeners were urged to put their harmonicas to their lips and join the band, with the latter polishing off this neatly conceived bit of demonstration by showing the youngsters how to switch from one tempo into another.

Singled out for appeal during the plug interludes are the members of high school harmonica bands. The school they attend hasn't an organization of this sort, urges the announcer, the best thing to get together and form one. Program has as its giveaway a book of instruction. As an aid in easing in the plug, many of the stanzas have juve voice frequently interrupting to ask question. The device suits this show nicely. *Odecs.*

**SUNSET AMATEUR SHOW**  
Zack Friedman  
WMA, New York  
60 Mins.  
**COMMERCIAL**

This Monday night hodge-podge originates from the stage of the Fox, Broadway. The program is directed primarily at the theatre's audience, the results are none too pleasing for the ear adjacent to the stage. Since the participants are not privy to the niceties of mike technique, and following their chief in volume is no easy task for the man at the controls, the event resolves itself into one big muddle.

About 15 minutes is taken out of the hour that the maker of Sunset prune juice plays for the WMA. A strange one-bits from the theatre's current stage show. The amalgam, which precedes the current stage show, is the theatre, the program, or the acts. The pickup for this portion of the hour is bad, and the clutter and cacophony that seeps out of the home loudspeaker is still worse. If it's better in the outside impression the house would serve it, as well as the acts, best by eliminating the snatches from the current stage show.

M.C. of the amateur shindig, is Zack Friedman, manager of the theatre. His manner of delivery may go great guns with the house audience but for air purposes it's in need of a little more. Friedman is inclined to let his enthusiasts run away with him, and the effect this has on the home ear is not to his advantage. Friedman adds the clambake atmosphere of his amateur show, as far as the house is concerned, by engaging in pointless gags with his candidates.

Least noticeable (25) potpourri produced an equal amount of clucks and promising talent. The house audience shows its displeasure by blowing tin horns, pounding rattles and putting the labials to work on evoking the razzberry. Official disapproval was expressed by firing off blank cartridges. During one point in the uproar Sally Rand, doing her second week at the house, was brought out to deliver her stock No. 4 spiel on the sense of beauty, art, dream and fantasy that she hopes her dance arouses.

Tied in with the plug for the occasion was the H. G. Offer free were 200 pairs of admissions to those who buy a bottle of prune juice from a certain store and write in a slogan for the product. *Odecs.*

**MARCIA JAMES**  
Songs  
15 Mins.  
Sustaining  
WGTV, Schenectady

High, clear, rangy soprano, handled with considerable skill. And technique shows its ability to d. more difficult numbers than were attempted on first shot caught. That consisted of pop and standards, best of which were the first and third selection, non-current. Vocalist offered one bit with a light touch, but as is often the case with sopranos, she sounded a trifle over-arch. *Jeco.*

**OGDEN NASH**  
Songs  
15 Mins.  
Sustaining  
WJZ, New York

Ogden Nash, rhymester deluxe chose pet verses from his newest collection "The Primrose Path" for general use. Nash does his own work justice with the correct diction and implies emphasis. Speaks in cultured voice and socks home an occasional phrase with apparent glee. A mad vein runs through the creations and only an occasional rhyme is by the by in sonnets. This Nash did well here. Possibilities swell for the right program. Timing is important as an overdone word will kill the point.

Originated at WBAL, Baltimore. Also mention about trying a jingle yourself and sending it into the Inner Sanctum, which, of course, means only one thing: Simon & Schuster, the publishers.

**FELS-NAPHTHA**  
With The Banjolects and Radio Sweethearts  
15 Mins.  
**COMMERCIAL**  
WGTV, Schenectady

Boards the radio music of Don and Lee Hancox, the soft-voiced singing of Kenneth McCullough, and the staccato strumming of an unnamed young man ride the ether bands on this new two-morning-weekly program. Sponsor is the Fels-Naphta Soap company of Philadelphia. The Banjolects and Miss McCullough are WGY staples, the station having in the time fed the former to the NBC red loop twice weekly and piping the latter to that circuit on Saturday nights. On the other hand, Radio's Sweethearts sounds like a new voice here. Miss McCullough's original partner in the tune was Harry Brannon, now on the staff of WTAM, Cleveland.

Quartet on this show produces a good brand of entertainment, and with a few changes in the layout, could deliver a better grade. There is a slight drawback to too much of the Banjolects in the etheral basket and too little of Miss McCullough. Neither she nor her co-worker are heard during the final three minutes of the salvo; the string pluckers do a medley and then theme alone. The quartet, in a solo or in a duet with her vis-a-vis, should fill the next-to-closing spot, if the Banjolects are to work by themselves on the sign-off.

Present arrangement does not give program the proper integration. A change of place on the part of the Banjolects would help, too. They are inclined to overdo the forte of their music, and the sign-off via a loudspeaker in the living room as in a theatre or dance hall. Banjolects make as they demonstrate in the accompaniments, where a pianist joins. Good rhythm and a peppery roll mark their duets. The Banjolects and their voice is well adapted to the solo parts and essays and it harmonizes in fair measure with the rather different type of her partner. The latter is not so much of the crooning school, but a pleasing vocalist without. For an unexplained reason, artist did not draw individual name mention.

Though a national distributor, sponsor grows its advertising to the usual local plane; frequent plugs, repetitious statements and a "read the sign" offer a handkerchief to women who send five soap wrappers to Quaker City headquarters or to station. *Jeco.*

**CHEVROLET MELODIES**  
Sammy Leschele's Orchestra  
30 Mins.  
**COMMERCIAL**  
KLZ, Denver

Denver is one in a while something is attempted in a big way in Denver in a radio program, and clicks at the first program, and this was one of them. Sounded like big league stuff, went over great, and will have its share of listeners waiting the dial to KLZ whenever it's on.

Local fans who got the program after it started thought they were getting a top notch treat. Description, and many called up later to make sure they heard right when from a broadcast it was produced in the KOZ studios. With a six-piece orchestra, Sammy Leschele's sound is big and bright. Continuity, locally written by Benny Bengston and Bill Bengston, was in the form of snappy dialog between two announcers. Not too long, and interesting, pointing out salient features of the Chev. Music and songs carefully selected, making it one of the outstanding programs locally.

**TONY AND ALAN**  
Drama and Music  
15 Mins.  
**COMMERCIAL**  
CJQR, Vancouver, B. C.

Song and patter idea has been in operation for a series of programs over CJQR twice a week. Principals are Alan Roughton and Horace Chapman, both singers. Plot is woven around Alan, a householder and his fruit vendor, Tony. Alan has discovered that his fruit merchant has a beautiful voice and the two become friends. Tony is invited to the home of Alan for a musical evening. Esther Roughton is the pianist. Alan Roughton is the author of the script.

**LIN-X MERRY-GO-ROUND**  
With Alice O'Leary, Francis Cronin, Carl Moore, Hill-Billy George, Donald Van Wart, Knox Manning  
15 Mins.  
**COMMERCIAL**  
WNAC, Boston

This is a quiet, unobtrusive little quarter-hour aired Tuesday and Thursday nights at 7:15 that might develop a following because of Alice O'Leary's presence, but hardly for any other reason. Festive, negative, indirect reason, would be its inoffensive, brief, and fairly sensible commercial plugs sprinkled lightly throughout.

For her opener Miss O'Leary voiced "When I Grow Too Old to Dream," with a break-in of "Live for Today," in the arrangement. Although the currently best-known Bostonienne either artist, Miss O'Leary has not landed a network spot, which she certainly deserves. So her first and second numbers ("Smilin' through") were beautifully sung, arrangement and pacing. (Continued on page 62)

**LEITH STEVENS**  
CONDUCTOR  
**PINAUD PROGRAM**  
Every Saturday Evening at 8  
WABC  
Exclusive Management Columbia Broadcasting System

**GRACE BARRE**  
In Hollywood for Pictures

**HERMAN BERNIE**  
1619 Broadway, New York

**GEORGE GIVOT**  
THE GREEK AMBASSADOR  
OF GOOD WILL

**LOEW'S STATE**  
NEW YORK  
WEEK FEB. 22  
Personal Direction  
HERMAN BERNIE  
1619 Broadway, New York

**LEON BELASCO**

**ARMOUR HOUR**  
FRIDAY-WEDNESDAY 10-11 P.M.  
NIGHTLY CASINO DE PARISE  
Broadcasting-Cost-to-Cost-CBS  
Direction, HERMAN BERNIE  
1619 Broadway, New York

**XAVIER CUGAT**  
This Week (Feb. 22)  
PARAMOUNT  
NEW YORK

**'Let's Dance' Program**  
WALDORF-ASTORIA-NEC

**LUIS ALVAREZ**  
TENNOR  
WALDORF-ASTORIA  
'Let's Dance' Program  
VICTOR RECORDING ARTIST  
Direction, MARY HANKE

**EASY ACES**  
NBC  
7:30  
Monday-Tuesday-Wednesday  
"You Nasty Man"

**KINGSLEY and VICKI CHASE**  
WABC  
Saturday-Nite at Eight  
**ROXY REVUE**  
Special Arrangements and Material Exclusively by  
**JEAN PAUL**  
Direction, WIL MORRIS

**fred allen's**  
"TOWN HALL... TONIGHT!"  
as HOUR OF SMILES  
with  
PORTLAND HOFFA  
JACK SNARY  
LARRY KATZ  
JOHN HENSON  
EILEEN DOUGLAS  
Material by Fred Allen and Management, Walter Bateloch  
9-10 P.M., E.T.-WEAF

**JOHNNY GREEN**  
AND HIS ORCHESTRA  
WITH MARJORIE LOGAN  
AND JIMMY FARRELL  
WABC-Cost-to-Coast ★  
Tues. and Sat., 11:30 P.M. E.S.T.  
Columbia Broadcasting System  
COLUMBIA RECORDS

**CHARLES PREVIN**  
CONDUCTOR  
**REALSILK'S SILKEN STRING CONCERT**  
N.B.C.-SUNDAYS  
8-8:30 P.M., CST  
9-9:30 P.M., MCT  
10-10:30 P.M., PT  
Personal Representative  
W. BIGGIE LEVIN  
612 N. Michigan Ave.  
CHICAGO

**ADIA KUZNETZOFF**  
WMAA-10 P. M. EVERY TUES.  
"JOLLY RUSSIAN"  
Russian Melodies Nightly  
Solo Direction  
Herman Bernie, 1619 W. Y. C.



# AMERICA

WEEK OF FEB. 27-MAR. 5

This Department lists sponsored programs on the NBC, CBS, and Mutual networks arranged alphabetically under the advertiser's name. All time is p. m. unless otherwise noted. Where one advertiser has two or more programs they are listed consecutively. An asterisk before name indicates advertising agency handling.

Abbreviations: Su (Sunday); M (Monday); Tu (Tuesday);  
W (Wednesday); Th (Thursday); F (Friday); S. (Saturday).

[illegible][illegible][illegible][illegible][illegible]

play Carl  
 Horse Pa-  
 -st, about  
 -tion his  
 -ber like this  
 -mean some-  
 -to be good  
 -in this oc-  
 -of the most  
 -WNAC and  
 -s plays a  
 -all hour of  
 -Opera and  
 -very accom-  
 -pany him do-  
 -on a vaude-  
 -merry-go-  
 -art, pianist,  
 -s a straight  
 -s as m.c.  
 -delivers  
 -Foz.  
 -y combined.  
 -s certainly  
 -telligence of  
 -of lipstick,  
 -his show is  
 -and this pro-  
 -gram-songs as  
 -blems. For  
 -tord reads a  
 -sition is  
 -s she wants  
 -him. Love  
 -man, man-  
 -o song with  
 -'You're My  
 -song May Be  
 -lly the song  
 -all with the  
 -consumed in  
 -association  
 -d the stars  
 -or mention-  
 -of Holly-  
 -at this love  
 -s a famous  
 -or, men-  
 -ir' tries hard  
 -one type of  
 -or, men-  
 -me near the  
 -singing. In  
 -in comes the  
 -the girls  
 -out lipstick  
 -Gold.  
 -Knight.  
 -Fresman  
 -Jordan  
 -Vass  
 -sions Straight  
 -to be to  
 -WABC  
 -Bros.  
 -Holl Orc  
 -W-F-W  
 -WABC  
 -Hitz  
 -on and M.  
 -WHIGLEY  
 -Jordan  
 -EUTICAL  
 -W-WEAF  
 -Headcourt  
 -s and  
 -s and B. Gray  
 -WAGLE  
 -WABC  
 -s a Val-  
 -Narcis  
 -McClara  
 -by Day  
 -s and  
 -Knorr  
 -Rodler  
 -Narcis  
 -Th-F-S-WABC  
 -s and  
 -Augustine Orc  
 -s Hooper  
 -Narcis  
 -W-S-WABC  
 -s (Nose Dug-  
 -s WABC)  
 -of the Air  
 -WABC  
 -Daily Ex-S  
 -WABC  
 -sage Patch  
 -Front  
 -s and  
 -Donnelly  
 -Scelan  
 -s and  
 -S.H.

## Radio Reports

(Continued from page 51)

Francis J. Cronin, organizer of the companies to the advantage of

ill-Billy George, local boy, r  
and, turns out a neat rend  
of 'Gray Mare Gets There Ju  
Same.' Lad goes to town wit  
e and two choruses, yodelin  
singing, and harmonica playin  
second thought, maybe there  
a hill-billy market in the lou  
maker territory; and if there  
lad is doubtless snaring h  
re of yippee-yodel fans.

ter a one-minute plug Cal  
sings 'Rocking Horse  
' To say the worst, about  
at the start, his diction is  
ty ragged on a number like the  
the lyric might mean some  
g; but to get back to his good  
n) Moore is one of the most  
filler-inners-at-WNAC and  
AB. Does spot programs on h  
and Sunday nights plays ac  
companiments for a full hour  
teurs at the Boston Oper  
se, all impromptu and very co  
re plays his own accompani  
t and one can picture him do  
the same act, in one, on a vaude  
ce.

Also spotted on the merry-go-round is Donald Van Wart, pianist, who follows Moore with a straight tune, sans vocal.

Max Manning acts as emcee (right); Bill O'Connell delivers brief plugs. **Foz.**

**VE DOCTOR'**  
k and Songs  
mins

---

**MMERCIAL**  
N Chicago

similarity and stupidity combining an advertising agency seems certain to overestimate the intelligence of the buyers of Kissproof lipstick. Which is the product this show is going to sell.

brilliant 'idea' behind this program is the use of popular-songs answers to love problems. For instance, the love doctor reads for which states that "a girl loves her boy friend and she wants advice as to how to keep him. Love doctor, after reading this missive answers by bursting into song with the pop tune such as 'You're My Lucky Day.' Usually the song has no connection at all with the question.

...the plug is consumed: ...to make some association between the lipstick and the 'stage' and 'screen' and stage' or mention ... So much so that this 'love' ... presented as a famous ... star ... refers to ... anonymous. This 'doctor' has had ... the Harry Richman type ... ciation on his straight speech ... man, but doesn't come near the ... man delivery on the singing ... middle of the program comes the ... mitable femme to give the girls ... rt-to-heart talk about lipstick ... Gold.

ile Orphan A  
 n Baruck  
 rietta Tedro  
 Sprague  
 iley Andrews  
 ily Pell  
 ticket  
 AS. WARNER  
 s. Linnament)  
 0-W-WJZ  
 n Laves, in  
 000 yre. Sing  
 (Vines)  
 3:30-W-WJZ  
 ch, Thomas  
 ch, W. C.

**SEY PRODUCTS**  
15-M-W-F.  
WABC  
In C. Hill  
Daily Ex. Sa-Sa  
WABC  
436-30-WAHC  
Years of Experience  
Ralph Mathertson  
Job Tarlahish, the  
amplifier  
Wln. Wacey

**WASHINGTON**  
(Coffee)  
436-30-WAIZ  
Ventures of Sher-  
lock Holmes  
In Hektor  
Lavel

**WEN**  
Lennen & M.  
WRIGLEY  
PHARMA-  
CEUTICAL  
436-30-WAIF  
Harry Rozer  
Ralph Mathertson  
J'erc La Cantra  
Thomas B. Gray  
WM. WRIGLEY  
7-Daily Ex. Sa-Sa  
WABC  
"Myra" & "Marge"  
Nyrile Vail  
Donna Damerel  
Violot McClars  
Elinor Rella  
Ray Hedge  
Daphny R.

ell, W. C.  
L. WATKINS  
9-Su-WREAF  
re Le KREAN  
uel de Carlay  
e  
About Town  
y Sannella Ori  
chekett  
WELCH  
Grape Juice)  
E-WWZ  
e rich  
or  
WESTCICO  
4-Su-WREAF  
ren Dream  
rama  
Allen

ker Donnelly.  
R D & O  
WEATENA  
H-Daily except  
Su-Su-WEAF  
matic Serial  
ly. Batchelor  
Alice Frost  
Joe Latham  
Andy Donnelly  
Amy Sedelle  
Estelle Levy  
Pat Ryan  
Blackett-S-H



# Publishers Ask Paine to Modify Bribery Pact; Want Committee

Delegation of music publishers' contact men Thursday (21) sought at a meeting with John G. Paine, chairman of the Music Publishers' Protective Association, to induce him to modify some of the provisions in the anti-bribery pact which the majority of the trade approved last summer. Taking the view that Paine was trying to enforce practices that were never intended as part of the agreement, the professional men demanded that he either impose fines on the violators of these practices or eliminate the contested provisions from the pact.

Approved all around at the meeting was a suggestion that Paine appoint a committee of four professional men to consult with him on matters of dispute in the anti-bribery pledge, with Paine authorized to do the picking of the quartet. This group will be called upon to determine whether certain things which the contact men want to do fall within the purview of the pact. With the approval of the music code and the appointment of a code authority this setup would automatically pass out of Paine's hands.

What brought about Thursday's get-together was the discovery that two major publishing firms were making free vocal extractions for radio warblers. In a letter Paine said that the contact men want to do to fall within the purview of the pact he declared that "no publisher may make a special vocal arrangement for any special vocal group, nor pay any persons for the making of such special arrangements." He may make the publisher extract the parts of any arrangement when made, nor may the publisher pay for the extraction of any parts when made."

**Hardship**  
Sentiment at the meeting was that the anti-vocal extraction provision served to work a hardship on the publishers' men in dealing with performers and that by his interpretation Paine was penalizing those who had been in the business for years and never considered unfair. The professional men said they thought Paine ought to be less severe in such matters. It was made clear to the gathering by Paine that any of the interpretations made by the committee would not be considered as establishing a precedent or binding after the music code went into effect.

Paine told the contactmen that he hadn't kidded himself into the belief that the anti-bribery pledge had completely cleared the industry of abuses. He said that he felt that he had cut the abuses down by at least 50%. Also that things were improving and that even publishers who had not signed the pledge are spending less money for plugs.

Paine averred that the important orchestra leaders were co-operating with the industry in the elimination of payoff practices, but this was not true of the minor bands. He charged that if the violators were found to be serious he would continue to penalize the violators, and that if the violators were not important he would continue to try to eliminate by a "campaign of education."

## Denton-Haskins Bankrupt

Denton & Haskins Music Publishing Co. filed a petition in bankruptcy with the New York Federal Court Monday (25).

Schedule attached to the petition gave the liabilities as \$9,723, and assets \$464.

## Marion Harris Writes a Song in London Hospital

Jack Mills, of Mills Music Corp., has bought "My Kid Is a Crooner," by Marion Harris, songstress. Marion Harris wrote it while in a hospital with a broken jaw.

## Kavelin Band's Crash

On way to open engagement here, Al Kavelin's orchestra met with an automobile accident at Monroe, seriously injuring several members. They are Carmen, pianist; Harry Budner, violinist; Harry Budner, trombone player. Detroit local was appealed to for substitutes. Kavelin band is at the Detroit Athletic club.

## \$60,000 PLUM

ASCAP Distributes British Coin for 3d Quarter of '34

American Society of Composers, Authors & Publishers last week distributed the royalty plum it had received for the third quarter of 1934 from the British performing rights society.

Around \$60,000 was involved.

## SEE BRITISH INFLUENCE BEHIND-BERNE POLICY

Behind the Roosevelt administration's efforts to induce the U. S. Senate to adopt the Rome copyright convention is pressure brought by the British government. Latter has been persistent in its charges that the American copyright statute as it now stands discriminates against the British author and composer, and has on several occasions demanded that this discrimination be ended.

Provisions in the U. S. copyright law which, the British government says, serves to militate particularly against its citizens is the one demanding that the work be printed on this side (in English) before it be permitted to enjoy protection under the American law.

Roosevelt administration feels that the only way that this alleged discrimination can be eliminated is for the United States to join the Berne convention as revised at Rome.

## MD. BILL WOULD BAR CLUB BREWER-OWNERS

Baltimore, Feb. 26. Bill has been introduced in the Maryland House of Delegates which, if passed, will force considerable altering of the present financial setup of nighties here. Proposal aims at making the work be any individual, firm or corporation to hold any interest, directly or indirectly, in more than one alcoholic beverage license.

Wholesale-liquor-firm-here is the financial backer of one of the town's swankier clubs. Also, it is understood that a distiller bought at auction the Hi-Hat Club when it was peddled publicly recently. Spot hasn't been reopened as yet, and can't be by its present owner if the legislative bill is passed.

## Shanghai Night Spot

### Lures Coast Talent

Los Angeles, Feb. 26. Oriental lure has taken Eddie Wheeler, radio singer, Roger Gray and Dorothy Lewis, from musical comedy, Dixie Francis, singer and screen player, and Wayne and Caruthers, ballroom dancers, to Shanghai. They are appearing at the Little Club, a Mont Bg enterprise there.

Gang is under an eight-week contract with spots.

## Philly Hotel Using Non-Union Bands In Fight with Local Over Benefits

Philadelphia, Feb. 26. After a series of hot verbal battles with Jack Lynch, manager of the Adelphia hotel hitery, Cale Marguerite, radio singer, Roger Gray and Dorothy Lewis, from musical comedy, Dixie Francis, singer and screen player, and Wayne and Caruthers, ballroom dancers, to Shanghai. They are appearing at the Little Club, a Mont Bg enterprise there.

Containing that benefits were of charitable and civic nature, Lynch immediately brought in two non-union units from New York.

After the union set up a picket outside the hotel, Lynch's counter-pickets set out pickets all day. Union avers that Lynch books outside benefits with no pay for the orchestra.

## Most Played on Air

To familiarize the trade with the tunes most on the air around New York, the following is the listing of the songs most-played on the cross-country network last week, in relative standing, according to the approximate number of combined plays on WBAF, WJZ and WABC.

1. Blue Moon
2. I Believe in Miracles
3. Fare Thee Well, Annabelle
4. Believe It, Beloved
5. Clouds
6. Moon Turns Green
7. On Good Ship Lollipop
8. You're the Top
9. Tiny Little Fingerprints
10. You and Night and Music
11. Love Just Around Corner
12. Every Day
13. Continental
14. Sweet Music
15. I Get Kick Out of You

## Justice Dept.

### Joins Balto's 'Legger Drive'

Baltimore, Feb. 26. Pair of kids were dismissed in police court Saturday (23) when brought up on charges of peddling 50 pirated song sheets. One was freed when it was learned he was a first offender; other supplied some info to ASCAP, which was prosecuting, and with the Society's recommendation the magistrate dismissed him. It was his third arrest on the charge.

All last week, even in the face of two of their colleagues being held for hearings, the song-sheet peddlers piled their trade along downtown drags. The song sheets are understood to be supplied the boys by a bootlegger who hauls the copies from Penna. by motor-car. He is the one the ASCAP is seeking.

Reported two Department of Justice operatives slipped into town over the weekend. They will work in co-op with local State's Attorney's office in an attempt to track down the smuggler.

## ONE-NITERS ON UPBEAT

Band bookers assure that the one-nighter business is due for a substantial upsurge this spring and summer. They base their prediction upon inquiries received from operators of summer resort and outdoor spots.

Gramercy offered to date indicate the touring names of first and second rating will not only have their pick of far more playdates than they had last season, but come in for considerably more coin.

## Revised U. S. Copyright Bill Due From State Dept.; Writers, Pubs., Exhibs, B'casters Confer in Wash.

Washington, Feb. 26. Substantially changed version of the bill to revise the copyright laws and pave the way for American entry into the world copyright union will be forthcoming from the State Department within the next 10 days. Measure follows a series of conferences last week with authors, publishers, composers, broadcasters, film producers, exhibitors and other interested parties.

Confident of ability to patch up numerous differences between creators and users of music and literary works, State Department officials described the situation as "very hopeful" at wind-up of four days of debate. Said the State press: "There has been made and many helpful ideas received."

Reasons for the State Department's unusual interest in copyright revision and the world union remained mysterious, but warning was given that strong-arm tactics will not stampede Congress into overhauling the domestic laws without getting an adequate explanation of the bill and the motives behind it.

### 'Chance for Everyone'

Promising "everyone interested will get a chance to have his say," Chairman Sirovich of the House Patents-Committee-said-he-has been unable to state the bill since serving a confidential copy, but gave assurance that he will take a hand in any move to alter present policies.

"We'll expect to be consulted on this matter," Sirovich said. "We will hold hearings and listen to anybody that wants to be heard. It is a good bill and there are sound reasons for passing it, the committee will help; but if it isn't a good bill, then the committee will exercise its rights and amend it."

Strong pleas for abolition of minimum damages for infringements were voiced by radio and motion picture men who reacted fast that U. S. entry to the world union would open way for racketeering and holdup attempts by foreign groups controlling works now in the public domain. Sirovich was resisted tenaciously by ASCAP attorneys who insisted that the idea of minimum awards should be retained even if the figures is slashed from \$250 to \$100.

Disagreement over the practical effect of the revision on use of foreign works now included in U. S. public domain was apparent as various attorneys made the obvious point that only theoretical and others maintained that their squawk is extremely realistic. Theatre owners and broadcasters did not see eye to eye on this matter, although the radio contingent was receptive to any ideas which would limit racketeering after the U. S. hooks up with other nations in an automatic copyright arrangement.

Under apprehension, defenders of the bill argued that in actual practice the restriction of the U. S. public domain would be relatively small and of little importance in view of the fact that this country already has numerous bi-lateral copyright treaties and that foreign authors, composers and publishers take the precaution of getting U. S. protection for any works of real value.

Objections to the moral rights clause of the Rome convention and to inclusion of this privilege in U. S. laws came from films and radio, with broadcasters urging that some requirement be included which would force authors to specify the sort of modifications or conditions which they would object as reflecting on their reputations. Radio reps would like a provision requiring original creators to give notice before acting to protect their moral rights.

Apprehension over injunctive provisions was expressed by radioites, who pleaded for the same treatment for broadcasters as is accorded newspaper and magazine publishers. Asked that provision be inserted which would not disrupt programs, pointing out that damage proceedings assure sufficient protection for conditions. Under present copyright laws, injunctions cannot prevent publication of newspapers or magazines, but can force cancellation of scheduled programs and silence stations temporarily.

Among the numerous changes which would be effected by the

original State Department proposal is a boost in the amount of damages which could be fixed in the case of unauthorized motion picture exhibitions. Bill would raise the top limit from \$5,000 to \$10,000, while chopping the minimum penalty from \$250 to \$100. Penalty provisions are expanded to give the copyright owner the right to obtain an injunction and collect damages, as well as the original creator. Political pressure on Congress makes it doubtful that the measure will become law this session—no matter how effectively the State Department flattens opposition. Both House and Senate will be crowded to get through by June without injecting any additional controversies and it is dubious if either House or Senate committees will have time for hearings.

A potential obstacle is presented by existence of the Vestal-Sirovich bill in the House Copyright Committee and the definite ideas of Sirovich. Sirovich, who has not been consulted by the State Department in preparation of the departmental bill. Question whether New Yorker would go for the changes without having plenty of time to look into the matter and judging from past indications it is possible he would insist on getting his own pet proposal through instead of the measure manufactured by the State Department.

## Question State Court Authority On Copyright

Authority of a state court to pass on a copyright infringement action is being contested in the appeal which Leo Brecher, as head of Protex Pictures Corp., filed last week in the New York Appellate Division. Brecher asked the higher court to set aside a judgment of \$1,500 which John G. Paine, as trustee, had obtained in the City Court on the allegation that Protex had used Leo's "Spring Beautiful Spring" in the American version of "Trapeze" without proper authorization from the copyright owners. Verdict allowed E. B. Marks, publisher, for whom Paine sued, \$500 for each use.

Paine's lawyer, in his Appellate brief, took the view that City Court had a right to pass on the case since the action had to do with an implied contract and not an infringement. Paine, he stated, had proceeded on the theory that a certain property he represented had been used without an agreement as to price and that it would be left to the court to determine the value of this use. The City Court Judge had assented to this theory and appointed a referee to determine the amount of the use. Under this theory, added Paine's lawyer, the case could not have been tried in the Federal court.

Brief submitted by Brecher's counsel contended that Paine had failed to prove any specific damages and that recovery, if any, should have been limited to nominal damages.

## Name Bands in Detroit Spot 13 Miles from Town

Detroit, Feb. 26. Westwood Gardens, outdoor heargarden, opens May 30 with Little Jack Little and orchestra. This is the first of a series of name bands booked for the spot.

Garden is operated by Otto Huch and his son Arthur. Westwood is 13 miles out from town.

## Robertson Doubles

Ray Robertson goes into the Railway Room in Radio City, March 6.

Singer will double from in "The Great Waltz" at the Center.





# Friars' 27th Frolic Packs 'Em In: \$10,600 on B. O. and Program

The Friars deserted the card room long enough Sunday night (23) to put on their 27th annual Frolic at the Imperial, New York, and the result was a 450 show-in apiece. It was an affair that contained everything from a knockout bill to a capacity audience.

Gross was \$10,600, of which the box office contributed \$6,200 and the program \$4,400. Club will net \$8,000 or better.

Show sparked with stars, reminding of the Frolics of the old days in the number of names to appear and the way they all whammed the customers. Louis K. Sydney handled the production, assisted by Lester Hammel, Arthur Knorr and Danny Dare.

Everybody did as well as an old-time first part. After at the Palace, but the real show copers, stoppers and moppers were Milton Berle and the Timberg-Rooney family act.

First half ran like a minstrel first and second half like a vaudeville. The comedians of the specialties, in which the boys did their usual stuff. Second half included the sketches and full stage items. It all ran off as smoothly as "Abie's Irish Rose" in its fifth year, despite no continuity rehearsal.

Names included Jack Dempsey, Joe Brown, Joe Laurie, Jack Benny, Rudy Vallee, Arthur Tracy, Al Jolson, Ed Gurney, Ed Miller, Jack Powell, Bert Lahr, Eddie Davis, Art Landry's band, Ed Lowry, Freddie Bartholomew, Sarnoff, Oscar Lorraine, Sid Marion, Eddie Dowling, Bobby Clark, Eddie Miller, Patry Flick, George Tappa, Jack Pearl, Cliff Hall, Clem McCarthy and Felix the Barber.

Eva Sully was the only girl in the show, but didn't get onto that sacred, men-only Friars stage. Miss Sully played a balcony box gagstress, while her partner, Jesse Black, waved a prop accordion and asked questions from the rostrum. A la Phil Baker, Miss Sully added considerable strength to the rep of the alleged weaker sex.

Dempsey got caught in two bed-room scenes, once without a shirt, which shows what belonging to the Friars can do even to a champ. Irving Caesar wrote the special material and did a swell job, but his singing was "no garagin'." Eddie Paul led the pit crew.

First part setting represented heaven, with the boys all sporting wings and leaning on a lily white cloud table. That it was the Friars' own version of heaven, nobody doubted—and that it is the nearest the Friars will ever get to play that date, everybody agreed. *Digs.*

## STAGE SHOWS OUT?

Los Angeles U. A. House Posts Notice as of March 5

Los Angeles, Feb. 26. Prospects now that Downtown Union Artists, which has had an off-and-on stageshow policy, will revert to straight pictures, Fox West Coast having posted notice for musicians and stage hands effective March 5.

Whether or not stage shows, now being produced by Frank Orth, will be tossed out, is not known, but turning to a double feature program, rests with Charles Skouras who is in New York.

## Foster Sues Joyce

London, Feb. 17. Today Joyce allegedly signed a paper authorizing Foster's Agency to act for him in securing engagements for a period of six months, and Foster sued the American singer for compensation for all engagements played since April 27, 1934.

Joyce stated he authorized Harry Foster to secure continental engagements only. Judgment was entered for Joyce.

## ANOTHER RADIO UNIT

Boston, Feb. 26. Harry Gourlay, who is working at the Metropolitan theatre, is preparing a new radio talent unit, tagged "Around the Dial."

Unit opens in Providence March 8 and will feature Felix Ferdinand and Eton Boys.

## Record Quickie

Detroit, Feb. 26. Shortest routine, ever seen, from a stage by an act is credited to the Dionnes, parents of the famous quintuplets.

I thank you 'is the summation of what is said by couple, currently appearing at the Fox. This is in line with their 'personal thanking' tour at \$3,000 weekly.

## RKO INTACT FOR WEST, BUT 1 ONLY

First RKO intact show since the Orpheum-Intertate 40-week route of five years ago opens for at least a two-week run with "Roberta" (film) at the Palace, Chicago, March 15. Show is optioned to stay four or five weeks in Chi if the film can hold for that length of time.

Following Chicago, the intact will go to Minneapolis and probably Cleveland, Cincinnati and Dayton. Circuit says this will not be a general policy, the situation having arisen only through the expected run-off of picture.

A title for the show is being sought to give the vaude layout the appearance of a unit. Personnel will include Oliver, Large and Morgner, Paul Sykes and Spotty, John Fogarty and Bebe Bert Girls, and Fetch and Deauville.

## Art Kassel Air Band with Pat Kennedy as Unit

Chicago, Feb. 26. Pat Kennedy and the Art Kassel band fold off the Grove's Bronco Quindine show on CBS on March 24 when the couple, remedy people stow away for the spring and summer.

Kennedy and Kassel may vaude tour as a unit act.

## ARMIDA CANCELS

Lincoln, Neb. 25. Cancellation of about six middle western vaude dates was made here last week for Armida, Mex. mimm, when wires from Hollywood notified she had been stricken with an attack of flu.

Understanding was that she had been routed through Denver, Lincoln, Omaha, Des Moines and Kansas City on Chi Ohl.

## Armstrong Union Jam

Louis Armstrong booked into 125th Street Apollo theatre last week jammed with musician's union and was forced to cancel date.

Al Jenkins, who booked Morris Sussman is house manager.

# Theatres Picking Up Amateur Cycle As It Starts Downgrade on Radio; 3 Circuits Plugging Tyros in N.E.

## JAMES SCOTLAND KILLED

Former Member of Wilson Aubrey Trio in Auto Crash

James Scotland, 37, called 'Scotdie' by his friends, member of the Wilson Aubrey Trio, standard acrobatic act, until he left show business to join the New Jersey State Police force two years ago, died Feb. 19 at Trenton, N. J., from injuries received in an auto crash.

Scotland was riding with another trooper in a police car on a foggy day when his machine met another in a head-on collision. He died in a hospital three days later. In his two years on the Jersey force Scotland compiled an excellent record. Another member of the Wilson Aubrey turn was Scotland's father, James Aubrey, who is still in vaudeville. Scotland's widow also survives.

## PHONEY AD SOLICITOR JAILED FOR FORGERY

Boston, Feb. 26. Kenneth Byrne, sentenced to six months in the house of correction by a local court on a charge of passing worthless checks in a Quincy, Mass. bank. Arrest came as a result of Byrne's recent solicitation of vaudeville acts in Boston, representing himself as an employee of 'Stage' theatrical magazine.

Solicitor is alleged to have promised acts publicity for the expense of a photographic cut in the publication. Four or five dollars was the customary tap. When an act playing the Keith Boston was approached by Byrne last week, he became suspicious and notified the police.

Forgery charge was pressed by the bank, resulting in the sentence. Solicitation again dropped, although it was found that Byrne had no magazine connection. Police say he admitted working the scheme for past five years and had "earned" \$10,000. Among others, Milt Mayfair and Peggy Taylor.

## Resent Gags

Detroit, Feb. 26. Protesting the practice of acts in Detroit theatres making Hamtramck (Polish populated suburb within confines of the city) the butt of gags, the city fathers passed a resolution against the practice and sent copies to local theatre men.

## Unit's Troubles

# Everything but a Cloudburst Hits 'Temptations of '35' in Balto

Baltimore, Feb. 26.

Bus containing remnants of a unit tagged "Temptations of 1935" rolled out of town toward Philly today (Tuesday) after experiencing a harrowing two days.

Booked by the Philly agent, Frank Wolf, into a two-day vaudeville house down on the south side, the Brodie, the unit was supposed to come in and play Sunday and Monday on a fifty-fifty divvy of the gate. Unit made the date with but 40 minutes to spare Sunday afternoon; reported motor trouble en route from Philly, plus time taken out at Elkton, Md., so a couple in the unit could be married.

According to the cast, Booker Wolf did not tell 'em that they needed a stage band to play that night at the Brodie, which has no pit or. After the first performance Brodie disliked the show and asked the unit to take a slash to 25% of the gate. The unit demurred and Brodie cancelled the show after initial performance. The reported owner of the outfit, Jack Root, left town shortly after the cancellation; with

the cast alleging he took much of troupe's wardrobe.

Most of the troupe were out of funds and had to go to Brodie for food; the operator took care of 'em till Monday noon when the whole troupe went to the police station and a reporter for an evening rag got their story, spilling some unfavorable publicity upon Brodie and his theatre by attesting the fact they had never been paid off, though they had played one performance. After the yarn broke in the rag, Brodie refused to have 'em fed at his expense longer, so most of 'em were on an 18-hour fast when pulling out of town today.

A few of 'em managed to get back to Philly after the cancellation; two of the line girls went to work in a time grind bus house in Boston, to stake selves out of town; most, however, alleged that since Root took their wardrobes when he left town they could not pick up any duds and were "nervally" repaired to the motor were promoted, also a tankful of petrol, which got the "Temptations" on way to Philly.

Radio, through its steadily increasing number of programs featuring amateurs, is starting an other free-talent splurge in theatres. Both vaudeville and theatres which have been in straight pictures are showing interest in the revival of 'amateur nights,' figuring to cash in on the bally being given such talent locally and nationally on the air.

Aside from staging their own tryo-shows, theatres are also being offered the radio impresarios of vaudeville, Ray Perkins, who conducts an amateur program Sunday evenings for Feen-a-Mint over the CBS network, is one of these going into theatres. Has already been booked for the Plymouth, Worcester, Mass., for three days starting March 12, going from there to the Fox, Philadelphia, for a full week.

Perkins will carry three 'amateur' nights with him, recruiting the rest for the shows in the towns he plays. Salary for Perkins and the stooges is \$1,250 weekly.

Estimated the hundred or so amateur programs aired locally throughout the country, there are five being broadcast by major stations and over the networks. These are: "Amateur Night" for the Plymouth, Kate Smith, CBS; Feen-a-Mint, CBS; Sal Hepatica (Fred Allen), NBC; and Major Bowes, WOR.

As usual with radio crazes, a reading to the theatres is being whiped up on their just as it's beginning in the theatres. The 'amateur' gag, however, originated in theatres, getting its greatest amount of exploitation from a Lowry drive when Nils T. Granlund was its p.a.

'Amateur nights are spreading rapidly along the Boston Post Road. At least a dozen taverns and road houses, from Connecticut and into Massachusetts, are holding shows twice weekly. Performances are usually on Wednesday and Thursday nights, with two bits the usual cover.

Understood that most of the shows are booked out of New York, the bulk of the talent being professional, but billed as hailing from other New England communities.

## The N. E. Buildup

Hartford, Feb. 26. With the influx of radio opportunity nights, numerous broadcasting stations in New England more than 75 theatres in Connecticut, Massachusetts and Rhode Island are now staging similar events. In Connecticut, both Warner Bros. theatres and Loew's are staging opportunity nights, while in Massachusetts Paramount and others have gone in for the box-office-boost and dollar-a-minute business.

These theatres are split up into groups of five to 15, each holding an opportunity night once a week from each theatre for an actual air broadcast. Station now involved in the radio amateur nights include WTIC and WDRG, Hartford; WMAA, Springfield; WNAC and WEEB, Boston; and WICC, Worcester, and about 10 others.

Warners has divided the Connecticut area into two sections and holds radio nights on more than 15 theatres. One broadcast is staged a week from WTIC and another from WICC as a result of eliminations held every seven days in various parts of the state. The lucky ones chosen as winners on the broadcasts are awarded \$20 as a first prize, \$10 as second prize, and \$5 third prize.

## Rochester Now 'n' Then

Vaude is going into Loew's, Rochester, N. Y., on a now 'n' then basis, whenever attractions are available, starting March 22. House has been in straight pictures for some time.

First show will be the Cab Calloway unit.

## ST. GEORGE DROPS VAUDE

The St. George theatre, Staten Island, N. Y., is dropping vaudeville, booked by Arthur Fisher, drops stage shows after this week for a straight picture policy.

Move is reported temporary.



## NEW ACTS

**RUSS BROWN and HAROLD WHALEN (3)**  
Chatter, Singing and Dancing  
15 Mins.; One and Three  
State, Baltimore.

The old Jans and Whalen combo cracked when the former locked arms with Bert Wheeler recently. Left in the lurch, Whalen pooled with Brown, of musical comedy and variety, and drew up this turn which was broken in last week at this Balto split-week indie.

Act doesn't impress as being quite up to the standard of the old turn. Needs to be licked into better shape, and could use some newer material. One instantly noticeable item is that this act contains no reminder of the turn with which Whalen was so long identified save his hoofing routine near close and the gag encore. Opens with some cross-fire. Whalen pitching the patter and Brown battling out the answers. Unbilled glittering blonde helps out. Then into a scene that is meant to satirically lampoon amateur nights on the radio but doesn't. Dialog studded with about same amount of blue material that was always part and parcel of Whalen's old act. Finale is achieved by Whalen hoofing and Brown (Jans) used to strum the uke chanting into megaphone. The chanting is pretty poor.

Act well received at this catching; turn is higher type than this house's customers are accustomed to being dealt.

# WEAVER BROS. and ELVIRY

SAY HELLO  
TO EVERYBODY

This Week (Feb. 22)  
Palace, Chicago

**WINIFRED HARVARD (1)**

Aerialist  
5 Mins.; Full  
Orpheum, N. Y.

Starting out with a simple dance, this petite brunette sails suddenly takes to the air with single-armed swing, onto a ring. Uses a white parasol to conceal suspended ring. After getting away to this novel opening, Miss Harvard swiftly goes through her repertoire of double ring swings and twirls to score heavily.

She introduces her father, whom, she says, is her teacher. Despite his apparent age, he does three feats that are breath-takers. Then the daughter returns for a sensational dive that climaxes the turn. This is an opener that is well above par and one that will strengthen most any bill. It was sold solidly at this house.

**GOLD, RAY and CROSS**

Comedy, Songs, Dances  
10 Mins.; One  
Coliseum, N. Y.

A few new to the boards, though the various individuals have been around in other offerings. Typical nonsense, which was liked a great deal by the house. Mostly juveniles on hand for the performance which accounts for the general enthusiasm. Nothing particular to play outside of the pacing of the gag and patter. For a time act sticks to eye-gouging and falls, and then goes into dance. Platinum blonde enters for a spell but has little to do outside of lending her physical charms. Threesome has a tendency to overdo that swishy bit which could be toned down somewhat. Dancing is good and generous. Brisker routines would help.

**THE SIZZLERS (4)**

Radio Singers  
10 Mins.; One  
Coliseum, N. Y.

Really a trio which handles the rhythm singing and a fourth at the piano. Comes before audience here with a radio background, though not overly well known to all listeners. First is a series of vocal impersonations of other ether headliners in a standard song. "Isle of Capri" revealed the male group in their best style, however. Close harmony for the most part. Tailor-made arrangements follow in the various numbers. Only act to win an encore at this viewing, though the younger ones most enthusiastic. Good but name is a misnomer as they never reach that heat wave pitch.

**BLANCHE CALLOWAY Orch (22)**

Band, Singing, Dancing  
22 Mins.; Full  
Orpheum, N. Y.

Blanche Calloway and her orchestra has been around in vaudeville and night clubs. Not in Vaudeville's New Act files, however. Her present organization appears a little heavy on dancing and lacking in a real voice. Introduction of four fast male dancers near close is catchy. There's a harmonica player who tops all the specialists aside from song-and-dance-combo that Miss Calloway herself does.

Orchestral work by a crew of 15 is all that could be desired from hotcha band of this sort. Act is happiest when she is directing and orchestra is bearing down.

**MARGO and CUGAT Orch.**  
Musical, Song, Dancing  
10 Mins.; Full  
Paramount, N. Y.

Although put together for the N. Y. Paramount only and performed entirely on the orchestra pit shelf, this combination could easily go out as a turn on its own, with nothing added and only some fixing needed.

Par office is using Margo for personnel with the picture "Rumba" in which she appears. Teaming her with Xavier Cugat, plus a pitful of musicians behind 'em, was suggested by Margo's past show record, which includes an engagement with Cugat's orchestra on a nitery floor. Cugat is doubling at the Par from the Waldorf-Astoria, with his own tango orchestra augmented by the theatre's regular crew.

Cugat starts it off with a colorful melody of Spanish and Cuban numbers, and Margo finishes it with some singing and rumba shaking. No reason why two such capable performers, with the right routine, couldn't handle a once-around.

Bigs.

**FIVE VOLTAIRES**

Dance Film  
10 Mins.; Full  
Orpheum, N. Y.

Adagio specialists. Three lads and two girls. Solo tap and tumbler by the two boys interludes. First adagio group comprises two girls and one lad. He swings both around in the wheel and voice. Second and finale group includes all in girl toasting and over-the-body stuff. Capable group and worthy but the pauses between numbers as caught seem less speedy than would be desirable. Finished on 4-act jayout here deservedly in favor.

Shan.

## Saranac Lake

By Happy Benway

Mrs. William (Mother) Morris shot in on Abe Lincoln's birthday, placed red, white and blue napkins on her children's tables, then ducked back to N. Y.

Betty Huntington and Hazel Gladstone were successfully operated on.

Jackie Roberts, Doris Gascoigne and Maurice Pearson were pulled out of that strictly abed routine.

Harold Rodner elected into our Good Samaritan Club. Jack Allcoate also admitted.

After over a year in bed, Bob Farley, Helen Morgan's ex-pianist, is up for his meals occasionally. Has also added much poundage.

Raymond Ketchum, ex-Leow man, showing up o.k. after two sieges of the 'Rib' oper.

Charles Bloomfield, playwright, perching up.

Ford Raymond and Tommy Kerns successfully underwent the knife.

Tommy Vicks leaves the ozoning home to m.c. in a Boston nite-club.

A lot of thanks to John S. Dricoll and Mrs. Troutsie Heimlich for the new books and puzzles rushed in to Sam's library.

Write to those you know in Saranac.

## UNIT REVIEWS

## CHEZ PAREE

Omaha, Feb. 23.

Unit came direct from assemblage in Chicago for its break-in date of three days at the Paramount. Includes 32 people in an hour show that has possibilities but needs considerable fixing. Pepping up may require a bit more material to fill an hour, but should make it a creditable show.

Specialty list includes the Clyman Troupe in the featured spot, along with Meri Belle, Lewis and Ames, Three Byrtons, Ross, Pierre and Schuster, Al Verdi and Benny Strong. Unit contains three notable items of production: in the "Paris Underworld," "Mildred Cigarette" and "Smoke Ballet" numbers. Of all, the ballet is perhaps the most impressive with the line of 16 interpreting smoke to a song melody by Meri Belle.

"Paris Underworld" features the Clyman troupe in an Apache fight with the knife-throwing climax. Of the acts, best work comes from Ross, Pierre and Schuster, trio using the microphones to give radio imitations. Lewis and Ames offer a tap routine on miniature stairs that makes their offering commendable by the precision they have developed. Meri Belle furnishes the costume singing.

Costuming is attractive and stands out. Settings are satisfactory, though nothing exceptional. Show is headed up to Chit, playing middle area enroute, and by time it arrives for the Chit bookings should be polished to eliminate the drag. It's managed by Wil Harris.

Also featured here was Melba Rose, local girl accordionist with the Meyers-Hodek pit band.

## RADIO REVUE

(ALVIN, PITTSBURGH)

Pittsburgh, Feb. 26.

Looks like Eddie Wolf has assembled a winner in this one. Packs plenty of name strength and, what's more, they're all performers who can deliver. Line-up composed almost entirely of personalities whose radio career have been fostered by Wolf and now under personal contract to him, and a unit of this sort is a two-way break for everybody concerned.

Only outside feature is the house's own line, used advantageously in a couple of spots for production value and making possible a more compact show than a succession of in-act acts could provide. Furthermore, band is on the stage, which likewise helps.

Next chorus opening goes into a band number and this, in turn, makes way for Bobby Gilbert, the talking-fiddler dialectician and the only featured turn not strictly an ether performer. Gilbert steps down from stand and croaks 'em with his familiar but still effective act, working the cross-fire with Jack Rubin, of alr O'Neill, who serves capably throughout as an m.c.

Next chorus opening goes into a band number and this, in turn, makes way for Bobby Gilbert, the talking-fiddler dialectician and the only featured turn not strictly an ether performer. Gilbert steps down from stand and croaks 'em with his familiar but still effective act, working the cross-fire with Jack Rubin, of alr O'Neill, who serves capably throughout as an m.c.

Local dance specialties for good returns. "Poet Prince" is on again for finish and it's all neatly staged.

"Blackface act of Molasses 'n' January next, and two comics have an easy time of it, making everything count, even registering in the lesser portions of their turn. For a finale they bring on an unbilled male—they call him February—for an adequate song and flashy bit of hoofing and make for an okay finish. Closing is Mary Small, and youngster is the tops with that husky delivery. Sells it into the mike like a veteran and she builds all the way. Gets off only way she can get off, by having the chorus come on at the end of her last number for a curtain.

Finish a trifle weak, with each walking across the stage in one while a backstage voice calls out their names. Miss Small is the logical wind-up.

Invariably all names are over with a stage audience even before they step out. That's true with collection of personalities in "Radio Revue" but they do everything because they're able to back up behind the footlights their ether repa. It's only the second engagement for the Wolf gang, but show here was playing like an established long-runner.

Cohen.

## FOLIES BESERK

(ORPHEUM, LINCOLN)

Here's a show built like a wartime sandwich. There's a good opening and a swell closing act and nothing between of any consequence. A surprise, too, since previous appearances of Wilcock and Carson, owners of the house, but show here was for a loop. Town had looked

(Continued on page 58)



## DIAMOND BROTHERS

The Performers, London, on Feb. 14th, 1934, said: "The Diamond Bros. (Tom-Hugh Allard) again soaked each other all over the stage, to everyone's delight, sang a little, danced a bit more, and all but murdered each other—scoring a real laughing hit."

Direction, Arthur Fisher, 1500 B'way

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24th Week "Marry Malones,"  
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# Monte Samuel's Remorse

**Quits as Variety's Unpaid Correspondent—Just Can't Read His Own Stuff Any More**

O. M. Monte Samuel, Variety's correspondent in New Orleans since this paper's first issue, has refused to have his option taken up. Actors (if any) playing New Orleans and panned regularly by Samuel for 29 years, probably will be glad to hear it. But Samuel's fellow Variety mugs can't seem to work up much enthusiasm over the withdrawal.

Being Variety's "only" southern colonel, Samuel sent in a letter containing notice of his intention to sear, but the reason was written a la Gertie Stein, and the Variety New York mugs were in a jam.

Samuel also is and has been for his entire 29 years as correspondent a non-paid writer-upper. Variety's biggest worry is that Samuel will ask for his coin, retroactive, which, on a basis of space for 28 years, would automatically give him the rag.

It has always been the New York impression that Samuel's theory in not asking for dough is based on the belief that any actor having the nerve to print his stuff would have the nerve to turn down his coin request. Another impression of the New York ends is that Samuel recently looked over the files, reading some of his past literary efforts, thereby softening up and agreeing, that enough punishment has been absorbed.

As an example of the Samuel brand of newspaper fantasy, the following piece first appeared in 1916. Read and shudder:

## NAMES FOR TWO-ACTS

By O. M. SAMUEL

Pinn and Haddie.  
Park and Tildford.  
Halg and Halg.  
Words and Music.

## DOROTHEA ANTEL

220 West 72nd St., New York City  
Birthdays, Everyday, Convalescent  
Greeting Cards  
In Bored Assemblage, 15 exclusive  
and original cards to the box, \$1.99  
Special discount on large quantities.  
Write for Particulars

## Twists and Turns.

Lee and Ferrin.  
Ebb and Flow.  
First and Last.  
Flotsam and Jetsam.  
Alpha and Omega.  
Room and Bath.  
Seat and Yellow.  
Place and Show.  
Upper and Lower.  
Drab and Gray.  
Greener and Dyer.  
Wood and Coal.  
Cross and Blackwell.  
Clocks and Watches.  
Socks and Hosiery.  
Barber and Manicure.  
Hit and Run.  
Ball and Strike.  
Chess and Checkers.  
Pool and Billiards.  
Cards and Spades.  
The Two Casinos.  
Laughter and Merriment.  
Open and Close.  
Kind and Generous.  
Mean and Slinny.  
Sticks and Stones.  
Lights and Shades.  
Smith and Weston.  
Wit and Humor.  
Profit and Loss.

As his final gesture Monte, the old handicapper, tipped the staff to Equipto at Santa Anita.  
He's even for everything.

## SUNDBROCK'S TAFT

Cincinnati Feb. 26.  
Larry Sundbrock, head of the National Radio Artists Ass'n (booking office) here, has leased the Taft theatre and is opening house with stage attractions and pictures March 1.

First show at the Taft will be the A. B. Marcus revue, followed by the Thurston unit March 8, and Joe Penner week of March 15. Later two set by the William Morris office.

Bookings for the time being are on guarantee and percentage basis.

## 15 YEARS AGO

(From VARIETY and Clipper)

Chicago exhibs and projectionists in a jam. Exhibs demanded removal of Tom Maloy or they would close shop. Didn't close and Maloy lasted until machine-ripped to death a couple of weeks ago.

Rumors gave the N. Y. Winter-garden to Famous Players. Also handed Zukor the Astor. Put Hearst in with First National. All wrong, just rumors.

Harry Mountford and Equity figured they had the picture actors in the AAAA, Mountford organization. Gilmore and Mountford working together.

Ringlings reported to be figuring on \$3.30 top for the Garden date of the Ringling-B. & B. show.

Columbia School of Journalism added a special course in pre-aging. Dorothy Richardson prof.

Eddie Cantor signed a recording contract with Brunswick for five years. Got \$40,000 the first year, up \$10,000 the next and \$50,000 annually for the final three, making \$222,000—a record for records.

Western Vaudeville Managers announced the abolition of four-day shows.

Musical union planning another 10% upping for next season. Boston Symphony players also demanding more—and getting it.

Shubert managers had a new peeve. Had to punch time clocks on every floor every hour during performances.

Second week of Lent, but New York box offices didn't know it. Boom on B'way.

Lambe club in a stir. R. H. Burnside quit as Shepherd. A repercussion of the Equity strike.

'Beyond the Horizon,' which was showing at off matinees at the Morocco, averaging \$1,300 a show. It was the first full length Eugene O'Neill play to reach B'way. But 'full length' did not then mean a six hour show.

'Fidos,' anti-Equity Fidelity ass'n, took in \$7,500 at a benefit. Charged that the union stage hands gummed the show.

Shuberts, who had bought the Century, decided to let Comstock & Goss keep on having the headaches. They were doing around \$40,000 a week with 'Aphrodite,' but it wasn't enough.

Sir Walter de Fresco, once a New York vaude agent, elected to the British parliament.

## 50 YEARS AGO

(From Clipper)

Adam Forepaugh propositioned Mr. and Mrs. Schilling-Huckamp to appear in his street parade and show. Offered \$10,000 for the season. She was the daughter of Morrisini, the banker, and had recently eloped. Offer nixed. She wanted grand opera.

Barnum, Bailey and Hutchinson denied their circus would be split into three following the New York engagement.

Chas. Andreas had just bought eight solitaire diamonds for his goats. Performing troupe and used to tip their horns.

Actor in the Clara Morris troupe got in a row with a baggage master at Marshall, Tex. Just before the train started the b.m. called a cop and had him thrown off the train. Railroad fired five employees, but he sued the road, the Pullman company and the town.

For two or three weeks there had been speculation as to the fate of G. W. Hall's circus, which sailed from Jacksonville for Martinique and was reported to have been lost at sea in a storm. Later reported as safe in St. Pierre. No cables then.

Dr. Leopold Damrosch died after a brief illness. Had been conducting German opera at the Met. Walter Damrosch took over the baton.

Troupe was touring in 'Pinafore'

# Midwest Price War Kills Gas Cos. Road Shows; Nix 300G S. O. Circus

In Pennsylvania Dutch. Got coin, too.

Heavy snows in middle west brought many companies in a day late for their stands. 'Galley Slave' was banked in for 38 hours.

Hustling Jeweler in Paris offered the Opera directorate \$5200 a year for permission to park a case of samples in the green room where the ballet-and-the-men-about-town foregathered. Nixed, but it was a bright idea.

Dion Boucault announced he was going to stick to America since the Irish, and consequently Irish drama, was not popular in England.

Lillian Russell's American reappearance was made at a Sunday concert. Clipper said she had lost some of her voice and more of her looks. Still had the brightest part of her career before her.

Cincinnati newspapers jumping on skating rink because several women had been injured.

Buffalo Bill added a fireworks show to his Wild West for one night with his cowboys and Indians playing soldiers in 'The Battle of New Orleans'. Had a permanent pitch in N. O. for the Cotton Exposition.

Skating rink in Reading caught fire. Audience piled into the street without stopping to remove their skates. Rink got some of the skates back.

## Schenley Deal Cold

Chicago, Feb. 26.

Deal for the removal of the Chez Paree to a new building on Michigan boulevard is chilled. Schenley whiskey products was to have built the new spot on the boulevard next to the Tribune tower and was to have had exclusive on the nitery and the use of the building roof for a sign.

Chicago, Feb. 26.

Ambitions of the various oil companies of the midwest, particularly of the Standard Oil Company of Indiana, to send out big troupes as road shows this summer, have been kicked in the pants by a price war which is now raging.

Standard Oil had planned to send out a regular three-ring circus as a follow-up of its slick 'Live Power' show and parade last summer, but it looks as if that deal is chilled for six months or more. Standard Oil figures that it will take at least \$300,000 to organize a circus worthy of the name and it can't see its way clear to spend that kind of money at this time.

Expected that the price war situation may clear up with the start of the summer driving season, but by that time it would be too late to organize. If Standard Oil were going to hit the road at all this summer it would have to be working right now, but right now the higher-ups won't go for anything like a 300G appropriation.

Same goes for companies such as Sinclair, Pure Oil and Shell which had been mulling angles for shipping exploitation shows out into the country this summer.

## Vince Lopez on Tour

Vince Lopez orchestra has left the Biscayne Kennel club in Miami and is now on a tour of one-nighters in the south. Stated to play for Cigar Manufacturer's Golden Jubilee in Davle Islands Coliseum, at Tampa, on March 7.

Banjo is due back in New York by April 1.

## TRACY and VINETTE

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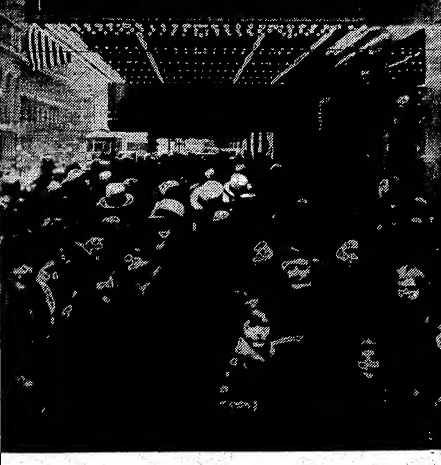
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GENE RAYMOND

Appearing  
This Week (Feb. 22)  
RKO PALACE, CHICAGO  
Week March 1, Fox, Detroit  
RETURNING TO HOLLYWOOD FOLLOWING WEEK.





# \$5,000,000 RELIEF PROGRAM

## Brady Leads Battle for Sunday Shows at Albany Hearing; Equity Members Sole Speakers Against

Albany, Feb. 26. With sideswipes at Eddie Cantor and actors and actresses who say they are opposed to Sunday work, William A. Brady stole the whole show at the legislative hearing in the capitol (Wednesday) (20) on the Berg-Neustein bills to permit Sunday night shows.

Brady proposed opening four closed film theatres on Broadway with legit at \$1 top and said he was willing to gamble that at those prices they would outdraw the film houses. He conceded, however, that \$2 and \$3 shows could not hope to attract the persons who pay up to \$9c to see films.

Brady's vigorous, biting appeal and the purported attitude of the Catholic church on the issue were highlights of a four-hour session. Just when it seemed that the Catholic stand was to remain a mystery, a representative of Charles J. Tobin, counsel of the Catholic welfare organization of the state, dashed into the hearing room and announced in effect that the church was neutral, but was interested in the aspects of enforcing the ban on Sunday shows when they either voted against them or took no action.

Soon afterward H. L. Bowley, representing opposition of the Lord's Day Alliance, said the secretary to Msgr. Lavelle of St. Patrick's Cathedral, New York, had told him the church already has taken up the Sunday question with the authorities. That, however, was the extent of his statement.

Gillmore's Stand  
Frank Gillmore, president of Actors' Equity, led opponents of the bills, saying the members are overwhelmingly opposed to Sunday night shows. Gillmore declared he did not believe Sunday shows would help pull theatres out of the red. He admitted, however, the membership had not voted on the question.

"If Sunday shows are so essential to profit," he said, "Why is it that the theatre has sunk almost out of existence in cities where they are allowed? But even if they were to help the profits, is that any reason why we should have to work seven days a week when we don't want to? Is everything in our lives to be sacrificed to the yardstick of finance? We actors are satisfied with the present law. We beg of you not to disturb it. We are a small group, but we are the ones who would have to suffer."

Senator Julius S. Berg, sponsor of one of the bills, pointed out that his proposal specifically provides for one day of rest in seven for actors and other theatre employees and that if a theatre was open on Sunday it would have to be closed one other day in the week.

Gillmore, however, swept aside this contention, hinting that the theatre would be open seven days a week and that theatregoers would not patronize a show in which the principals in the cast were replaced by an understudy so they could have one day a week off.

Florence Reed's Idea  
Florence Reed declared it would be outrageous to take Sundays away from the actors. She declared a week sister at the box office on six nights a week wouldn't be able to stand on its feet Sunday nights, either.

Madge Kennedy said: "The harder I work the better I like it, but I count upon Sunday as the one beautiful day in the week. I don't think we should be compelled to give it up."

Selena Royale declared the audience (Continued on page 61)

## Dollar Top Operettas To Reopen L. A. Mayan

Los Angeles, Feb. 26. Series of standard light operas at a dollar top will relight the Mayan March 8 with Gilbert & Sullivan's "Pirates of Penzance." Producers are Charles S. Salisbury and William G. Stewart.

Stewart, former stage for Savage, will handle the production, "The Bohemian Girl" tentatively set as second piece.

## Dame Sybil Pulls A Barrymore for Toronto Snooties

Toronto, Feb. 26. Members of the snooty Empire Club were shocked when, as guest-speaker at a luncheon tendered here, Sybil Thorndike ("Distant Side") charged theatre audiences with lethargy and claimed that films and radio "cast pearls before swine."

In a town which prides itself on its tag of "the city of churches" and refused O'Casey's "Within the Gates" a showing, the English stage star also scored activities of reverend reformers.

"The theatre presents life," she told the blue-bloods, "if something of evil is shown, the churches should not move to attack the theatre. They should attack the cause, the phase which the theatre represented."

Danger of a thrown egg gives each performance of a play vitality, the legit star claimed. "This should be paid, sitting to the audience."

More wincing was observed when Miss Thorndike said, "No one has any business going to the theatre and sitting like a lump of suet. You may say that we of the theatre have given them stuff. We should give them bombs to shock them out of the shell with which they cover themselves to protect them against being churned up emotionally."

Sillman to Do Modern Version of 'Hypocrite'

Leonard Sillman has taken production rights on "Happy Hypocrite," by Max Beerholm, as rewritten in a modern day version by Clemence Dane.

Expected to produce it in New York in late fall.

Masons Into Legit Biz As Rochester Operators

Rochester, Feb. 26. Rochester is to have another try at legit shows, under auspices of the Masonic fraternity. Temple Civic Center of Rochester Inc. organized to back the undertaking, with Will R. Corris, former manager of the Lyceum theatre, as manager. Shows will be given in the 5,500 seat Masonic Temple auditorium.

"Roberta," musical, booked in for a one-night stand March 11 and Ziegfeld Follies March 25. "Ah Wilderness" is tentatively scheduled for March 30.

Profits will be used for Masonic relief, thus making it a non-commercial proposition and keeping the auditorium tax-free.

## EQUITY FILES BID IN WASH.

Would Establish Permanent Repertory and Rotary Stocks Through Country — AFL Aid Involved

### FOR ALL SHOW BIZ

Washington has been asked to set aside \$5,000,000 for show business relief, the request being made by Equity. At the latter's offices there isn't even any speculation as to the possible reaction in government quarters. It is proposed to use the money for production and the establishment of permanent repertory companies and rotary stocks throughout the country.

In seeking to help show business included in pending relief legislation, Equity contacted the American Federation of Labor, with which it is affiliated. Fact that Equity is the only known union which has no fixed wage scale other than the minimum set forth in the legit code, appears to be a problem for the A. F. of L. relief campaign plan. Yet William Green, labor chief, advised Equity in a letter that he would endeavor to get provision for actors in "social security acts" being considered by Congress. Any idea of joining the Interprofessional Association, a group of white collar organizations also seeking federal aid, has been dropped by Equity.

It is believed that the pending legislation will include extension of free shows being trouped to Civilian Conservation Camps in the Eastern states. That kind of financial support is along general relief lines and, compared with Equity's idea of the \$5,000,000 fund, is believed to have a better chance of continued federal support.

First grant from Washington for actors' relief was made last winter when \$28,000 was allotted by the Public Works Administration. Original grant was asked from time to time until the project was taken over by New York's Public Works Division of the city and state's Emergency Relief Administration. Last year was greatly enlarged when a grant of \$300,000 was made by Washington for the CCC camp shows, 20 in number, which have been operated along with from seven to 10 units under combined city and state relief.

Understood that most of the federal fund for the camp shows has now been used up, but it was explained that extension of the project would be virtually automatic until new relief measures are decided on in Washington.

## STRAW HATS COMING OUT

Quite a few Broadway actors are already pointing towards jobs in summer rural theatres. Disappointed in not having landed engagements in hits they are figuring on protecting themselves during the heat spell. Summer theatre operators, too, are lining up casts with an eye towards getting the best of the stick devotees—at the least possible cost.

One summer show managers are thinking their proposition is quite favorable—swimming, beach sports, room and board—but no weekly pay. If there is a profit, there is a vague promise of co-operative split.

In this case the actors are also supposed to get 6% of the gross if takings exceed \$20,000 weekly. Best the house is reputed to have gotten in other summers is about \$700.

## Actors' Forum Outlines Plan To Control Equity's Council; Insists on Rank Eliminations

### Discrepancies

Albany, Feb. 26. High salaried radio and picture house engagements on Sunday of legit stars opposed to Sunday stage shows was an issue that figured in arguments over the proposed legislation to permit dramas and musical comedy in Sunday.

Frank Gillmore, president of Equity, admitted members play on Sunday, but are outside Equity jurisdiction on such occasions. He mentioned that actors play Sunday benefits without pay, too, and that is their own business.

William A. Brady, pleading for Sunday legit shows, said that Eddie Cantor at an Equity meeting on the question announced he would refuse to work Sundays. Brady then pointed out that some time afterwards Cantor went on the road with a revue and played Sundays. Also referred to Cantor's \$10,000 for each Sunday night broadcast.

## BELASCO TO PIX; 1 LEGIT LEFT IN WASH.

Washington, Feb. 26.

Belasco, one of the two remaining Capital legit houses, went films Thursday (21). Matty Radin using the spot for foreign flickers. L. Stoddard Taylor, house manager from way back when, will stay on under new set-up.

Belasco has had hectic time since Shuberts stopped trying to keep it open. Despite location across park from White House, it's small size and old-fashioned architecture has kept it dark for nearly four years. Wee & Leventhal tried it two months last spring and local stock attempted to relight it this season but quit after three weeks.

## SAILOR'S ROAD TOUR FOR W. & L. ON %

Opening date of "Sailor Beware" on the road under management of Wee and Leventhal has been moved forward, opening in Detroit next Monday (4). Understood the managers and the authors, Nicholson and Robinson, to whom the play reverted, have agreed on a profit-sharing deal.

Audrey Christie and Bruce McFarland will top the cast, they, along with most of the original players, having been re-engaged. While the bulk of the cast is said to be on minimum salaries, a bonus of 6% will be added if the gross exceeds \$5,000 weekly.

## Jos. Howard's 'Broadway'

Joseph Howard is due back on Broadway in a legit show written by himself. It is called "Old Broadway" and may land at the Hollywood, with Warners sharing in the backing.

Marty Forkin is on the production end for Howard. "Broadway" is expected to be ready by late April. Former composer-vandervillan supplied the book and score, lyric writer not named.

Equity's militant younger group, now known as the Actors' Forum, which has been opposing the policy of Equity officers for the past year, came out into the open at a meeting held in the Union Church, West 48th street, N. Y. last Wednesday (26) midnight. Session was called ostensibly to hear Elmer Rice talk about the problems of the actor, but the well-filled auditorium heard an exposition of the Forum's immediate objectives—elimination of junior minimum salary, rehearsal pay and job insurance. Also it became apparent that the Forum group aims to control Equity by naming more members of the Council.

Session drew some name players, among them members of Equity's Council, about 500 Forum people also being present. Philip Leeb, a councillor and one of the Forum leaders, told about the group's inception, dated with the start of the conflict between players and management of "Sailor Beware" just one year ago.

Almost belligerent controversy over the legit code's two salary minimums, based on last week's Council meeting. Forum people want the junior classification stricken out on the grounds that managers select juniors at \$25 weekly in preference to experienced actors, minimum for whom is \$40.

Claiming that newcomers in show business were keeping senior Equity members from earning a living, proponents of the change met with defeat on a vote by the Council. That came after it was argued that elimination of the \$25 minimum might tend to retard production of new work, but the chair carried.

Meeting March 1  
Group does not intend to let the matter drop. It will be a leading item on the agenda of the Equity meeting this Friday (March 1) at the Hotel Astor, at which time the rehearsal pay and insurance issues may also be presented to the membership at large.

The senior-junior salary minimum problem may also be placed before Code Administrator William F. Farnsworth in Washington by a delegation from the Forum group on the grounds that it is unfair competition. Forum, however, will probably await the result of a test vote at Friday's meeting.

Precedence of Forum meeting was completed with the naming of its own slate of six to be offered as part of the nominating committee at Friday's session. General membership appeared and three are named by the Council, so there will probably be a contest between the Forum people and the others present over the committee's composition.

Rice, in a somewhat rambling half hour talk, thought that the "insecurity of the actor in the commercial theatre" and his means of earning a living are so precarious that there should be more than a mere guarantee of two weeks' salary. He declared there must be "major operations all along the line." The author-producer, who bowed out of the theatre this winter after two of his plays drew adverse criticism, touched on the managerial situation. Said that someone pretending to be managers are upstarts or mere promoters and "do not belong to the theatre."

Forum will hold another meeting tonight (27), at the church spot, where it is seeking to hear an address by Mary Van Kleeck, economist of the Russell Sage Foundation. Miss Van Kleeck formed the Inter-professional Association and for Howard. "Broadway" is expected to be ready by late April. Former composer-vandervillan supplied the book and score, lyric writer not named.





# Post-Depress Gaieties Whams Smart Audience as Op Stars Go Lowdown

Standout performers of the legit stage, with the aid of radio and grand opera toppers and even some of the critics, gave a show tabbed 'The Post-Depression Gaieties' and tickled a cream audience for the benefit of the depleted b.r.s. of the Authors' League and Stage Relief Funds Sunday night (24) at the New Amsterdam, N. Y.

There was a tendency to use too much from current musical shows, but that made up for some untitled material which was not strictly up to form, although most of show drew laughter. Bill was literally jammed with names, some having no assignment at all save to make smiling, personal appearances.

For press purposes only much was made of the stage debut of five reviewers. He was a wall-changer to razz Percy Hammond, John Mason Anderson, Gilbert Seldes Gable, Keelley Allen Brown and George Jean Bennett. That was the way they were introduced by Ernest Truex and Romney Brent.

The skit 'Custer's Last Plea' fortunately ran only five minutes; otherwise the prolix hysling from the front would have been a wall-changer. Acting was lousy; so was the skit. Percy Hammond was best, he being a somnolent chief scout, awakened by clapping hands. The boys' best was that even real critics could have made the sketch any better. They forgot the plot.

Gabriel seemed to be trying a dialect. Defending the stockade was one bum bum and three or less bows, the scribes announced to their drowsy leader that no less than 120,000 redskins were out of combat. But something much worse was coming up. The level of Brown—none other than Elmer Rice, the critics' critic. That was enough of that, ending with nose-thumping by Truex and Bennett. The choruses from 'Anything Goes' with a special lyric, opened the show, pointing out other Sunday night diversions, but especially 'Night Across the Street' in Minnie's 'You in Your Sables' and 'Kollnaks'—what are you doing in here—at 10 bucks for one hard seat?

Rehearsal—the most spontaneous reaction went to Noel Coward, very late singing a couple of ditties at the piano. His own lyric about Burns, 'Mad Dogs and Englishmen Go Out in the Noon Day Sun,' had Alexander Woollcott actually making occasional gestures and emitting bits of gibberish. Still, he was there.

Then, as a virtual closer, came the Metropolitan. Lili Pons, Gladys Svarthout and Helen Jepson in a sister act doing 'Minnie The Moocher.' Contribution was an 11:30 p.m. riot. Girls reading from lead sheets, Miss Cowell and Noble Sissle's band, the men softly backgrounding the chorus of 'Minnie.'

Marc Connelly was the main-spicing of 'Gaieties,' acting as continuous m.c., having written much of the material also. He was inclined to be a droll fellow with the introductions, but that's his way. He's early on his feet anyway. The stage people who came to participate early and stayed late were flattering proof of how he stands.

There was Beatrice Lillie sans a speech, but getting away. Comedienne and Hope Williams appeared as heralds, tights, trumpets and all, to announce two acts—Jimmy Savo and Noel Coward. Gladys Svarthout, Miss Cowell, that brought on the Englishman. On for a moment, too, was Jane Cowell to introduce Sheila Barrett in her rambling, nightclub set, bit. Nobody introduced Miss Cowell and several others, another error.

There was plenty of talent from 'Thumbs Up.' First from that revue was the modified Irish Justice put in a radio broadcast with Clark and McCullough. Miss Barrett, Hugh Cameron, Al Sexton, George Huston and Hal Leroy. No hooping from the latter, in fact, there was no dancing at all other than a bit of cooing by the 'Goes' girls.

Strongest showing of talent in one act came with Victor Moore's attempt to get a feminine star to play the queen in his sketch, 'Major General Frodo, Discoverer of the Equator.' Ethel Barrymore, Helen

Hayes, Judith Anderson and Hope Williams all at telephones pass up the bid and Moore gives up, falling back on 'Twice Told Tales' described as an old Australian bush song.

Moore's leading joke-kicks from 'Anything Goes' came on in 'The Bachelor's Reverie.' Charles Wingerling ('Reverie' with Music) still a bit lame, browsing over great players of the past. In answer to his recollection of McIntyre and Heath, Bill Gaxton and Ethel Merman stepped from the frame with 'You're the Top.' In answer to David Warfield's 'The Music Master,' appeared Bert Lahr ('Life Begins at 8:40') with 'A Bottle and a Bird' in Paris. Prop bird brought a crack from him that it was 'so resonant.' Then Rae Dooley and the Arabs, out of 'Thumbs,' stunted. Satire on 'The Children's Hour,' called 'Ready for Boston,' brought on Percy Wood, Constance Cummings, Nancy Hamilton, Miss Dooley and Beulah Bondi, which widened the show scope to include that drama. Miss Dooley was the trouble-making kid, accused her school mistresses of having gone to New York to see 'Within the Gates,' which horrified the Back Bay matrons.

An attempt to fuse bits of 'Rain' with Tullulah Bankhead and her marines—and 'Three Men on a Goof' terminated with the 'Goes' skit, 'You in Your Sables.' It was a confusing, Connelly explained. He was right.

Jack Benny, behind a cigar, said he appeared to have been invited by an oversight, but with his 'Three Chicks' skit was a cinch score. He mentioned celebrities and added that anyone working on the stage these days is a celeb. It was a tough day for Benny, as he put it. Rehearsed his radio program until three, went to the Imperial to rehearse for the Friars Frolic (also Sunday night), was going back here for the 'Gaieties' appearance and thence to the studio for a rebroadcast, at 11:30. After that, he thought, he'd go to Roosevelt and have a couple of dances.

Desmond's program rang the curtain down. Introducing the Greater Queensboro Choral Society with such non-warblers as Franklin P. Adams, Rita Weiman, Alice Duer Miller, Konrad Beercovici, Ernest Boyd, Rollin Kirby, Robert Nathan and Elmer Davis. It was a first and only concert. Rudy Vallee was shoved into the mob as a filler (his only appearance) although Walter Damrosch and the leader and 'No Place Like Home' the number, few, if any, of the 'society' even got started when the curtain dropped. It was one of the most comprehensive turn-out of legit people yet brought together in one show. Virtually every Broadway success was represented. Missing were Gladys George of 'Personals' Appearance and Leslie Howard of 'The Petrified Forest,' both under the weather. Thee.

## Abbey Players Linger In Chi, Lam for Coast

Los Angeles, Feb. 26.

In order to remain an additional two weeks at the Harris in Chicago, the Abbey Theatre Players have cancelled engagements in St. Louis and Kansas City. Irish troupe, which opens at the Biltmore here March 5, will make the trip from the Windy City without a break. Only two theatre engagements are scheduled for the Coast, one a run at the Curran in San Francisco, followed by a date at the Metropolitan, Seattle.

## Claim Chambre Took Son on Unexpected Trip

St. Paul, Feb. 26.

Ulysses Chambers, theatrical manager and director of 'Green Pastures,' when that show played here, hopped into St. Paul from his home, Baltimore, last week, paid a call on his two-year-old son living in Chicago, took the kid for a ride on a sled and then allegedly scrambled town with his offspring.

Chambre was separated a year ago from Chequita Lonerwolf. Police here kept hands off, telling in-laws that there's nothing on the books which can stop a father from taking his own child.

## Sunday Show Hearing

(Continued from page 55)

ence which pays \$50 for Sunday films and don't pay \$3.50 to go to a legit show.

Paul M. Turner, Equity's counsel, pointed out that New York City hospitals would lose more than \$50,000. Turner said: 'Theatricals if actors had to work Sundays in regular shows.'

Brady declared that Sunday performances would do more to rejuvenate the theatre than anything else.

### Brady's View

'Try it out and see the houses open up,' he said. 'Give the poor old theatre a chance and don't let one organization tear it down.'

Brady declared there are many violations of the present Sunday law, and, turning to a group of clergymen who had opposed the bills, said:

'Why don't you reversed getting on those things? The law is being violated all over the place.'

Answering assertions that the theatre's troubles are due largely to ticket speculation and that the producers did nothing to stop it, Brady, who is chairman of the NRA Ticket Code authority, said:

'We have fought ticket speculation. Everybody connected with the theatre wants to get rid of this outrageous thing. We failed because Washington wouldn't do anything about it.'

He asked Florence Reed if she would attend 40 weeks of personal appearance, including Sunday shows, and she replied: 'I would have to.'

As an aside he said: 'The New York City stage is jammed full of foreign actors and actresses.'

### Pemberton's Thought

Brook Pemberton declared Equity's executive council is a steamroller and that its 50 members, who, he said, decide for the others, are highly paid stars who are not willing to work Sundays because they have Long Island estates on which to pass the Sabbath. He said if Sunday legit shows don't pay, the managers will close them. He added that Sunday would be the second, if not the first, best day of the week. Pemberton asserted repeated and weakened business on Monday. He suggested a stagger plan whereby theatres open on Sundays would not all be closed on the same day during the week.

Helen Arthur, manager of the Neighborhood Playhouse, N. Y., read from box office statements to show her business was better by several hundred dollars on Sunday than on Saturday. She said 120 actors now live on the relief rolls in Manhattan.

Representatives of the stagehands and musicians appealed for Sunday shows on the ground they would provide the mainstay of many idle men. Asked how this would be possible if theatres closed on a week day to make up for the Sunday opening, the union men replied that the Sunday law would enable closed houses to open.

Lee Shubert, Dr. Henry Moskowitz, counsel to the League of New York Theatres, and Herman Shumline also were among those at the hearing.

## LeGallienne on Her Own

## Breaks with Shuberts As She Insists on \$2.20 Top for 'L'Aiglon'—Due in Pitt March 4

Eva LeGallienne broke away from the Shuberts last week because she doesn't think her show, 'L'Aiglon,' is worth more than \$2 top. Actress will continue her cross-country tour, but is managing and booking on her own.

Shuberts took over management of 'L'Aiglon' in the midst of its New York run after opening under Franklin Selwyn. Management Show was as far as Chicago and stayed there four weeks at \$3.30 top, but biz only moderate. Other road dates were set, but Miss LeGallienne called in Jake and Lee Shubert for one-on-one.

Miss LeGallienne opens in Pittsburgh Monday (4) under her own set-up at \$2.20. Further road dates are being set the same way.

Pittsburgh, Feb. 26.

Eva LeGallienne's 'L'Aiglon,' an off again on again proposition here, is now due at the Nixon next Mon-

# 'Roberta' Cast Offers to Guarantee Against Losses If Show Continues; But Gordon Won't Buck Picture

## Comrade Lamb

Chicago, Feb. 26.

When the Theatre Union, which is winding up 'The Sailors of Cattaro' at the Chicago theatre on 14th street, N. Y., was casting show, no actor in the group would accept the part of the captain, because that character opposes the sailors. It was decided to get an actor from the Lambs to fill the part.

None of the unionists would talk to the Lambs clubber, merely on general principles, until after he was seen painting his dressing room.

'Ah, a worker,' they then exclaimed and thereafter he was okay.

## IRVING BERLIN REVUE FOR M.B.

Irving Berlin is due back from Hollywood next week and it is expected he will bring back the completed book and score for an intimate revue, aimed at the Music Box. Indications are the show will start rehearsals on April 1.

Composer-manager went west in the fall for a short vacation but tarried to write for pictures. Berlin's plans were topped by a successor to 'As Thousands Cheer' but the proposed 'More Cheers,' Moss Hart collaboration, is set indefinitely.

Revue is to be presented by Sam H. Harris and Berlin, following the Hotel Taft and Shubert theatre. Harris is still in Palm Beach and his planned coast trip is understood off.

## New Haven's Cloud

New Haven, Feb. 26.

Bankruptcy proceedings against the Tatt Realty Co., which owns the Hotel Taft and Shubert theatre, may have an effect on future of local legit. Trustees for bondholders have brought suit for foreclosure of the property and, in the event of favorable judgment, they will decide between disposing of the property by sale or trying to arrange a plan for operating the hotel and theatre for benefit of bondholders. Court action is set for March 5. Shubert has nothing booked beyond the 'Follies' March 15-16, and will probably mark time after that, although present setup is for a live care of the house for the balance of the season.

After eight weeks here and 25 weeks on the road, 'Roberta' will fold on March 2. This closing notice comes as a distinct surprise because the show has made coin consistently on the road, having had only a single losing week, and that loss was negligible.

So certain is the cast of the continued click of the show that it has offered Max Gordon a guarantee against losses if he will keep the show going on the road. However, after considerable discussion involving Equity, Ben Boyer and Rubie Bernstein, it looks as if the show is going to close despite the fact that it has made a flock of interested parties who consider 'Roberta' a cinch for the road and an asset to legit-business as a whole.

Release of the RKO-Radio picture version of 'Roberta' on March 1 is the reason for the closing of the 'Roberta' legit production in Chicago on March 2. Understood that Gordon's contract with Radio prevents release of picture in towns ahead of scheduled appearances for the road show. Now understood that RKO-Radio has offered Gordon a bonus of a report of \$50,000 over his contract to withdraw 'Roberta' from the road. Gordon doesn't think the show can buck the film.

## Wheel Stock Hits 5 Towns Weekly and on Radio for Publicity

Dubuque, Ia., Feb. 26.

Jack Ripley players, stock, have established headquarters here for a spring and summer stock wheel and will play neighboring towns. Also on WKBB, sustaining, reviving old melers in half-hour programs for publicity once a week.

Aggregation plays Garnaville and Andrew, Ia., once a week, Lancaster, Wis., twice a week, Apple River, Ill., once a week and Kelowna, B. C., twice a week. Night shows only. Business has been good.

## No. Two Three Men

Number two company of 'Three Men on a Horse,' new comedy click at the Playhouse, N. Y., is being readied by Alex Yekel. Show is said to open at Detroit, March 24, then moving into the Harris, Chicago for a run.

Rehearsals will start this week, upon completion of casting. Name player was being sought for the lead, with Ernest Truex mentioned.

## Yale Drama Grads to Showcase Coast Talent

Los Angeles, Feb. 26.

Newest convert to the little theatre movement are the Yale Producers, who have leased the Quill and Buskin for a presentation of 'Preface to Love,' Organization composed of grads of the college drama course, and will showcase their own talent in addition to promoting outsiders.

George Dowell directed the opener.

## Musicals in Ft. Wayne

Fort Wayne, Feb. 26.

Shrine auditorium is getting back into its former stride by booking practically all Chicago's legit attractions following their runs in the Windy City.

'Follies' and 'Vanities' both appeared here after their extended engagements and now 'Roberta' is dated in for March 7. 'As Thousands Cheer' follows on March 14. Ballet Russe and Eva LeGallienne's Repertory are tentative dates. A. L. McDonald is managing the 3,000-seater.









## Spain Considering New Law to Muffle Newspapers, Pix, Radio, Phonographs

Madrid, Feb. 14. Newspapers, films, radio and phonographs may be subject to a censorship on almost the slightest provocation if a press law submitted by the cabinet to parliament is approved. BHL is the most drastic attack on press freedom ever attempted in this country and comes up after press and radio have been subject to a rigid censorship since last October.

As the result of politics. The right-wing dailies howled that the bloody October revolution was helped by inflammatory articles published in the leftist rags. So the government, controlled by the rightists, decided to draft a press law.

Covering five full newspaper columns, it would afford 'the press in general, the reproduction of ideas, opinions or news on phonograph records and their diffusion by radio, motion pictures or still pictures.'

Curious note is the fact that the Spanish prime minister is president of the Madrid Press Association. The minister of Communications is the secretary, which means that the bill came out of a government which includes two ex-newspapermen.

After defining how papers are to be established and who the managers can be, the bill states that 'the government can establish total or partial censorship throughout the nation or in any specified region, province or city, through a decree.' At present censorship is invoked only when martial law or some other similar emergency state is proclaimed.

Speeches over the radio would not be broadcast without authorization of the government, and the speakers would have to file their name, home address, hour and place of broadcast, and subject of talk with the police.

Photograph records imported or produced domestically would have to be registered with police before being placed on sale.

If the law is approved as it presently stands, producers of newsreels of Spanish events would have to inform the government regarding the content, matter, the films and texts accompanying the film, and the authors thereof. Distributors of newsreels of events abroad would have to do likewise before sending them out.

Sale of national or foreign-made phonograph records, or exhibition of national or foreign films or the transmission in Spain of certain foreign radio transmissions 'if they may cause scandal or constitute a crime' could be prohibited.

## MADRID GETS OPERA AFTER SEVEN YEARS

Madrid, Feb. 14. There's opera again in Madrid, after seven years' absence. Madrid Herrera organized a company of local talent and put on 'La Traviata' at the Calderon theatre with Angéles Otín, Celestino Sobe and Antonio Cortis in the leading roles. 'Rigoletto' will be presented in the second of the three-part operatic season.

Success is a cliché, with all seats sold out weeks in advance.

Opera used to draw in Madrid at the old Royal opera house but it was torn down and work started on a new edifice about 15 years ago. For some unaccountable reason, building has never been finished and the tenors and lyric sopranos and other temperamental warblers have resounded in Madrid only once since. In a short season at the Zarzuela theatre.

## Paris Niteries

Paris, Feb. 17. Can't keep the Belle Époque down. Swank nite spot, struggling since the beginning of the season and finally closed by a coding order of bad business and trouble with the French labor authorities, will open again March 1.

Another new dance spot is Peer Gynt in pre-war occupied some years ago by the Basque niterie Chiquito, and more recently by Mon Paris. Peer Gynt is Scandinavian in atmosphere, and is concentrating on tango dancing, like the Basque. Seems to be a good demand for high-class afternoon parties right now.

## GRIPPE IN PARIS

All Show Biz Affected By Epidemic of Sniffling

Paris, Feb. 17. Couple of weeks of freezing weather, combined with a grippé epidemic, have been keeping Parisians indoors and putting the kibosh on show business in all branches.

Legit and niteries have been worst sufferers. Vaude houses such as the A.B.C., which previously had been regularly packed, felt a drop in grosses as the population began sitting around the fire and drinking grog.

## M. Morley Adjudicator Of Canada Drama Fest

Ottawa, Feb. 24.

Malcolm Morley, ex-artistic New York and London, has been appointed adjudicator of the Dominion Drama Festival, the finals of which will be held in Ottawa during the week of April 22 under the direct patronage of His Excellency, Viscount Beasbrough, Governor-General of Canada. Purpose of the event is to revive interest in the stage by means of amateur drama competitions.

Morley will first pass upon regional contests through Canada, with the best productions to be brought to the Canadian Capital for the final acts.

Morley made his first professional appearance with John E. Kellar in 'Hamlet' at New York in 1912. More recently he was in production work in England and was general manager for Leon M. Lion of London.

## G-B Buys

(Continued from page 21)

With Hays continuing operations independently.

A group of General Theatres shareholders also held a private meeting last week to discuss an offer from Gaumont whereby all its houses were to be reconstructed and realigned or, a similar deal, offered by the British International house had made offers for the G-T houses, with the latter company carefully looking over the offers and deciding that G-B had made the best bid. G-B finally appointed a committee to talk to John Maxwell, head of BIP, to find him whether he wanted to better his offer. Local belief is that Gaumont will likely win out.

Gaumont has the biggest theatre chain in England, but BIP has a bit the edge in the matter of de-luxes, especially in or near London.

A week ago G-B started work on an amalgamation with Union Theatres, which is taking over nine new houses and plans building several more.

## German Opera Season In London; Wagner Cycle

Berlin, Feb. 15.

German opera stars are going to London for a Covent Garden season starting in April with Wagnerian and Rossini festivals.

Wagnerians include 'Lohengrin,' 'Rheingold,' 'Walkyrie,' 'Siegfried,' 'Gotterdammerung' and 'Tristan und Isolde.'

Turtwenger, after his tiff with Goebels and resignation, is going to conduct in London. Lotte Lehmann, Frieda Leider, Hilsenbeth, Bucheckmann, Clemens, Habicht, Gausner and Alex Kipnis are making the trip over.

Last named is non-Aryan, but still takes his roles at Shells Oper Unter den Linden, mostly through influence of Winifred Wagner, who regards him highly and has the part of some highly placed governments.

## New Berlin Hit

Berlin, Feb. 15. Berlin's newest stage place already taken hold, is Hanne Bobach's 'Josephine,' a Napoleonic piece, with Leopoldine Konstantin as Josephine. Hans Halden is Napoleon as Ernst Legal plays Napoleon as Ernst Legal. Taken from private life of Napoleon, piece gets under way slowly, but picks up well and received excellent press support. Author is an ex-soldier who served in the war. He later commanded a Brown shirt troop.

Play opened at the Theatre in der Strandstrasse, named in honor of the Star plebiscite.

## DANCING IS DANCING TO THE FRENCH GOVT

Paris, Feb. 17. Dance recitals, especially by foreign artists, are dead in Paris, killed by taxation.

By laws in effect since July, 1934, foreign dancers must pay 57% of the gross to governmental and other agencies before they start paying expenses. With grosses the way they are now, this makes recitals absolutely impossible. Since almost all dancers who used to work here are foreigners, there are no more dance recitals in the town here.

Maurice Dandelot, impresario specializing in the dance, cancelled 20 recitals he had planned for this season.

Excessive taxation results partly from the 12% tax on three-fourths of the gross that all foreign artists giving solo recitals affecting principally musicians—must pay, and partly from the fact that the French tax department treats dance recitals and public dancehalls on the same basis. To the government here a dance is a dance, whether a High-grade Spanish or in towing her capstans in front of a bolted shirker or a bunch of apaches in sweaters and caps are dancing to amuse themselves to the strains of an accordion.

Impresarios are staking a lobbying and press campaign to get the taxes reduced, so they can do a little business.

## 'Stop Press,' Revue, Has O.K. Premiere in London

London, Feb. 25.

Clifford Whitley's first legit musical, 'Stop Press,' opened impressively at the Adelphi Theatre (21) and was splendidly received. Show gives a good week's work library deal involving \$7000 on strength of first night reception.

Four past New York revues were scrambled into the show, material coming from 'As Thousands Cheer,' 'The Band Wagon,' 'Three's a Crowd' and 'Roberta.' Hassard Short staged it. Show also contains a new skit by Moss Hart and a fancy cast of Anglo-Americans.

## Charlot's New Revue

London, Feb. 17.

Andre Charlot is getting ready a new revue for the Jubilee celebrations.

Show, which will be of the Charlot intimate type, is to be staged at the Vaudeville theatre in conjunction with Gattis, who are sponsoring. Cast already lined up includes John Hilly, Reginald Gardner and probably Eileen Randolph. Former dance is currently appearing in 'Hi Diddle, Diddle,' Charlot show at the Savoy.

## Americans in Paris

Paris, Feb. 17.

Group of American circus performers, attracted to Paris by current vaude revival, were guests at champagne party of Leo Baeck, proprietor of newspaper 'Le Jour.' In the daily's reception room on the Champs Elysees.

Performers, charmoned by Jim Wittered, were Mr. and Mrs. Con Colanero, Mr. and Mrs. Albert Powell, the Tamara, the Whirlwinds, the Flying Concellos and Javalice.

## FOUR-AUTHOR SHOW

London, Feb. 17.

Four authors and composers are responsible for the new song and dance show, 'Jack O'Diamonds' which is to be produced at the Gaiety early next month. They are H. P. Malby, Clifford Grey, Noel Gay, Kenneth Duffield.

## Anti-American

(Continued from page 21)

to be split this combination and set Lourau, as a German rep, up against the Americans, with whom he is working. He would have break up the new association and leave the old Chambre Syndicale, of which the new group is more or less openly the rival, supreme in the field again. Antoine de Metro, one of the U.S. leaders of the new group, is expected to be picked out by the whippers in their attack.

Vain attempts are being made to organize real co-operation among the new distrib. association, the Henri Clerc Independent producers' club—which is pretty weak—and the strong exhibitors' union led by Raymond Lussey. If these three groups could, a real organization of the French industry with all interests represented, would be formed, is the theory, and old anti-American Chambre Syndicale, which is now fairly well discredited, would be supplanted. But the boys just can't get together.

## No French NRA

Failure to organize means that the film business won't be able to profit by the proposed Marchandeau law to organize all the French industry in a cross between an NRA and a Fascist guild plan. This layout, which is the pet recovery project of the Flamin ministry, involves the organization of industries through comprehensive trade associations, which would suggest the rules of business, free trade being considered dead. If the sick French film industry seems more on the cards than any other solution.

The alternative—and it looks like a pretty strong alternative—is Government control of the film biz. This means a change in the way the industry is run.

Government control idea came up at a meeting of the cinema subcommittee of the finance committee of the Chamber of Deputies, where discussed the Gaumont-France Film-Aubert problem couple of weeks ago. Louis Aubert, veteran film maker and now a deputy, proposed that the French film industry be taken over by GFFA—the (bankrupt film concern) owned by the Government something in the neighborhood of \$20,000,000 to set up a National Cinema.

Subcommittee turned down Aubert's plan. This new idea was started socking the old man, with both fists. Jacques Noel, in the Griffe Cinematographique, calls Aubert a traitor to the industry, and says he never brought anything to the film business. Attacks like this notwithstanding, the nationalization of the film business is an idea which appeals in governmental circles, and may be the only solution, in view of the inability of the industry itself to clean house.

## French No Like

Like any socialization, it will be tough on the people in the business. It's what they fear most.

Though socialization will take, if it ever actually comes, is completely vague now. Cinema subcommittee of the finance committee is to meet next month and the problem of socialization will be discussed.

Meanwhile trial balloons have been sent up by certain interests believed to have Government connections, proposing a solution of the problem by merging GFFA and Pathe-Natan under some arrangement financed by the private groups who want to buy GFFA—notably the Charles Pasquell-Thompson Finance group.

This was put forward by Journal des Finances, a financial sheet which is supposed to have an unofficial hookup with the Ministry of Finance. The new plan would deprive the attack on Bernard Natan by Charles Dierler and propose that instead of breaking up Pathe-Natan, the technical organization now possessed by the latter should be used to rebuild the French cinema business, in combination with GFFA and the financial groups that want to take it over.

## Boronski on Own

Paris, Feb. 17.

George J. Boronski, whom Cliff Fisher left in charge of his agency when he decided to devote himself to producing in America, has quit the outfit, and in future will do business for himself.

Boronski's new agency is managing the talent at the Ambassadors, which he has done in the past, but up to now as representative of the agency. He will co-operate with the American manager, who is to produce the Ambassadors' new show, bringing them over from England.

## Publicity Piles Up As Joan Warner Goes To Court in Makeup

Paris, Feb. 17.

Showing up at the Palais de Justice in makeup, ready to go on at the Alcazar in a fan number as soon as the judge let her go, Joan Warner, American dancer, gave French newspapermen and curiosity seekers a preliminary hearing in a case brought against her for nude dancing by the Society for Increasing the Population.

Publicity aspects of the case are going to make it even, and local press is falling like a ton of bricks. Miss Warner is getting the maximum out of charges against her just by acting natural, and letting her reporters' friends know about it. Make-up stunt yesterday was not forced. She really had to go on right after the hearing, in the same dance she is being prosecuted for doing, and she won't have had time to make up if she hadn't done it before appearing in court.

Attendants had to clear the corridors so she could make her way to the chambers of Examining Magistrate. Joan Warner, who just wanted to ask her formal questions about her identity and to verify the fact that she had never been arrested previously.

Dancer is appearing five times daily in acts she's being tried for. Leaves May 5 for South America, but will be back in August.

## Kuykendall

(Continued from page 5)

the Hon. Sol A. Rosenblatt knows our industry through and through. He is also of unquestioned honesty and ability. If the code is wrong, let's change it, but let's not by subterfuge and evasion try to confuse the issues as some have done.

Before launching into his spiel on the code, Kuykendall paid his respects to Will Hays. 'Of course, I may have been out of accord with him on a few occasions,' Kuykendall said. 'But my personal objectives are the same, and I find him ready and willing to go along with us on things that pertain to the best interests of our industry as a whole, against the outside enemy.'

## Personal Contact

Kuykendall related that exhibitors are badly in need of more personal contacts with producers.

'The scarcity of stars is one of the outstanding problems at the moment,' Kuykendall pointed out, with comparatively few stars today who can stand on their own at the box office, and the number narrowing down each year. Who is responsible for this shortage, Kuykendall asked, answering his own question by blaming the theatres for not trying to create new stars in merchandising pictures. Claiming there is an abundance of actual material to work on, he said many personalities on the verge of stardom would go over with reasonable boosting and exploiting in a few pictures.

## Church Crusade

As to the church agitation Kuykendall did not place the MPTOA in the position of quarreling with the church. The church is under the attack that the question of dirty pictures got out of the hands of picture people. MPTOA's prey believes that the church boycott did more than any other thing in years to make the public theatre a better place, and complimented Hollywood on how it responded to that crusade.

## Fan Mags and Advertising

Fan magazines come in for attack by exhibitors this year, said Kuykendall. They are blamed, by their exposure of mechanical illusions and intimate information as to the private lives of the stars, for detouring the public from the office. Kuykendall pointed out that the mags could be very helpful if confining themselves to their real functions.

Kuykendall noted that the standard of advertising has improved markedly since the MPTOA was set up. He pointed to the MPTOA's office on the back by insisting that the standards are largely responsible for this improvement.

Kuykendall promised that the convention is not going to be a petting party for the 'everybody' who has a chance to speak.



Columnists' Mag

At last, a publication of columnists only. It's the Column Review, in which the country's leading columnists will be represented. Initial issue will contain pages by 34 of the columnists, including Herwood Brown, F. P. A., H. I. Phillips, Grantland Rice and Walter Lippmann.

Publisher is Bernard Berger, who will issue the periodical monthly. There is a Philadelphia, but publication offices will be in New York. First printing order for the Column Review calls for 50,000 copies.

Young America Out March 8

Young America, that news weekly for the Jews, which has been in the making for some time, makes its first appearance on March 8. Will be a four-color rotogravure job in tab size, and will carry in addition to general news, comic strips and book and film reviews.

Head of the Eton Publishing Corporation, which is sponsoring the new weekly, is Stuart Scheffel, formerly of the New York Times. Editor is Harry J. Wolf. Financially interested with Stuart Scheffel is Herbert Scheffel and Prince Serge Obolensky.

Boys and Girls Newspaper, also a weekly and aimed for the same clientele as Young America, has made its debut. Published by George J. Hecht, who gets out Parents Magazine, and with Charles G. Muller editing.

Wise Quits Opinion

James Waterman Wise steps out this week as editor of Opinion, the mag of Jewish life and letters, and may undertake a similar publication of his own.

With Wise's leave-taking, post of chief editor may be abolished. Earle D. Marks, publisher of Opinion, experimenting with the mag's operation under the present editorial board.

Meloney at Fox

William Brown Meloney, Jr., whose mother conducts the New York Sunday Mirror, has been named to the Fox studio writer payroll.

A former European correspondent for the Herald Tribune, Meloney is considered an authority on historical subjects and will be used on scripts calling for period pictures.

N. J. Gov. Gets P. A.

Harold G. Hoffman is the first Governor of New Jersey to have his own publicity director. William Conklin, legislative correspondent for the Newark Star-Eagle, has been appointed by the Governor to hand out all news concerning Governor Hoffman. Heretofore the reporters got the news direct from the Governor, or his secretary.

Young Shaw Moves Up

Dr. Albert Shaw has stepped down as president of the organization controlling the Review of Reviews and affiliated publications, and becomes chairman of the board. Succeeded by his son, Albert Shaw, Jr.

Edward F. Healey, advertising manager of the mag, has been elected to the spot of v. p.

WNBA Dinner March 8

Women's National Basketball Association will hold its annual dinner on March 8 at the Hotel Pennsylvania, N. Y.

Already set to talk at the affair are Alex Woolcott, Pearl Buck, Margaret Wise, Rita Weiman, William Collins Brown, May Lamberton Becker and Edward Cora.

Two New Mags

New publishing firm of Smith & Smith (no connection with the Smiths) planning two national magazines for urban and the other for suburban reading.

Urban mag will be named for its publisher's, Sam's Magazine, and will contain fiction and general articles after the manner of the national weeklies. Other will be a bi-weekly tab to be known as The American Villager. Latter will use a generally military, with femme appeal predominating.

Supervising editor of both mags is Leola Zink.

Dodge Turns to Fiction

Critcher R. Rimmer, appointed editorial director of the Dodge Publishing Co., an affiliate of the Robert M. McBride Co. Rimmer is former vice-president of John Day Co. Rimmer is now entering the field of fiction. Previous operations were confined to gift books and art prints.

Best Sellers

Best Sellers for the week ending Feb. 23, as reported by the American News Co., Inc.

Fiction	
'Heavenly My Destination' (\$2.50) .....	By Thornton Wilder
'A House Divided' (\$2.50) .....	By Pearl S. Buck
'So Red the Rose' (\$2.50) .....	By Stark Young
'Head of Ages' (\$2.50) .....	By Robert Nathan
'Forty Days of Musa Dagh' (\$3.00) .....	By Evans Wilson
'Lost Horizon' (\$2.50) .....	By James Hilton
Non-Fiction	
'Why Not Try God' (\$1.00) .....	By Mary Pickford
'While Rome Burns' (\$2.75) .....	By Alexander Woolcott
'Skin Deep' (\$2.00) .....	By M. C. Phillips
'A Woman's Best Years' (\$2.25) .....	By W. Beran Wolfe
'Personal History' (\$3.00) .....	By Vincent Sheean
'Rats, Lice and History' (\$2.75) .....	By Hans Zisner

Cigarette Increase

According to 'Advertising and Selling,' 1934 saw 12.4% sales increase by the four major cigarette brands. Of this group Camel paced the upswing with a 25% leap over '33.

This would cover the period of that cigarette's 'Fun to be fooled' campaign inaugurated by the William Esty agency, which continues in charge of Camel exploitation.

Albany Crick III

William H. Haskell, theatrical critic of the Albany Press and News, and radio columnist of the News, is in Albany hospital. He underwent a blood transfusion.

During his absence, Mary O'Neill, Sunday radio columnist, is handling the News column.

Spoofing the Yorks

C. A. Lyon of the London Sunday Express has been in New York for two weeks gathering material of a spoofing nature on American phenomena.

Data on Sally Rand was among the objectives of his trip. He sails for England this week.

3-Way Blog on Fields

Frank Scully and Jim Tully will collaborate with W. C. Fields on a biography of the actor. 'Am I Laughing' will be tag of book, to be written on Coast.

Tully departs from Coast shortly to arrange publishing details.

CHATTER

John O'Hara vacating in Florida. Claire Spencer back from Mexico.

Burton Rascoe doing his reminiscences.

Travis Ingham is a brother of Katherine Brush.

Literary America a year old with the current number.

James Boyce in town to correct proofs of his new novel.

Grace Stone Coates joins Caxton shortly as literary adviser.

Tracy Coker, novelist, now a member of the Ohio legislature.

George C. Wren to Palestine to see what he can pick up in the way of story ideas.

Real name of Leo Grex, author of 'The Man from Manhattan,' is Leonard R. Gribble.

Eda Lou Walton parted Henry Roth upon the publication of his novel, 'Call It Sleep.'

Elizabeth Corbett delivered a new mel to Raynolds Hitchcock and bopped a boat for the West Indies.

Jessica Nelson Roth, the poetess and poetry mag editor, will have her first novel out this week, 'Arden Acres.'

Simon & Schuster will publish 'They Shoot Horses, Don't They?' novel by Horace McCoy, Hollywood film writer.

Grace Lumpkin has selected Macaulay as her new publisher. Neil Swanson has also changed publishers, his new choice being Farrar & Rinehart.

A fire at the printer's consumed the last few chapters of Gilbert Frankau's new novel and he has had to rewrite them.

Herman Bernstein has completed his adaptation of 'Magic Fire' from the Hungarian play by Nikolaus Gaspard and Rudolph Lothar.

Charles Hanson Towne, who edits the New York American's 'page opposite editorial,' will have a novel out soon, 'Gold Old Yesterday.'

Memiors of George H. Doran, the dean of American book publishers, will appear on April 25 under the title of 'Chronicles of Randomness.'

Conrad M. Rimmer, formerly in the Doubleday, Doran editorial department, joins the Thomas Y. Crowell Co. this week in a like capacity.

Mrs. J. David Stern, wife of the N. Y. Evening Post's publisher, feted some 200 dancers and scribblers who have at various times contributed to St. Nicholas Magazine.

Book Reviews

Runaway Actress

Rita Weiman has for many years been one of the leading figures in theatrical literati. She had made most of her reputation on plays and short stories about show people. Now she blossoms out with her first novel, 'Runaway Actress' (Longmans, \$2.50).

It is not a first novel in the ordinary sense of the word, because of the writer's background, and has seven previous novels to her credit. Especially since it has to do with show people. It's a fast and at all times entrancing story of a girl's fight to get herself straightened out in a world she has never before handled by a brutal and doltish father, Ruth, with the help of Morgan Phelps, a playwright, runs away from an actress. Her adjustments to life and its conveniences makes the story. Will need apologetic for current film purposes, but should be worth the effort.

Why Read Quit

When Joseph Verner Reed left Denver and came to New York he had a burning love for the theatre and a fairly heavy pocketbook. He met Kenneth MacGowan, and the two became partners in a producing firm. What happened to their six or seven productions and how they now fold in an unusually bright and interesting book by Reed: 'The Curtain Falls' (Harcourt, \$2.75).

Reed is obviously sincere and honest. He begins with hilarious union rules and emotional leading ladies harassed him perhaps more than they should have, but perhaps the real and serious troubles lie contained in one of the early chapters when he and MacGowan first opened their office. MacGowan to open later shouted for everyone to come to his room. All rushed in excitedly. He was standing at the window floating out paper, cups and all hands joined him in a paper cup floating content for the rest of the day.

Reed now says he's through producing, and tells why. It's not so stuffy; it's not 'you-ought-to-be-astounded' stuff. It's healthy observation of a show business man whose greatest trouble seems to have been sanity.

What Actors Should Get

R. Homburg, French attorney, has the theory that actors who perform a piece add to its value if they are big stars, and therefore should own part of the future earnings, whether item in question is a song, a play or almost anything else in which the human element counts. He's put that theory, with all attending arguments, into a book, and that book has now been translated and annotated by Maurice J. Spieser, member of the New York and Philadelphia bars. He is entitled 'Legal Rights of Performing Artists' (Baker, Voorhis).

It's an interesting theory, and carries a certain amount of weight in the telling. Whether it could hold up in an American court is another story.

Different Type Chiller

Not many horror stories make the grade outside of usual whodunit mysteries. Abridged Raynoe now turns in an unusual job in 'I Am Your Brother' (Harcourt-Brace, \$2) which, at the very least, should make some chiller.

Hard to figure out whether it's a mystery, a thriller, or a piece of the artist. Julian is a musician who is undoubtedly narcotic. Whether he imagines his monster brother, or even really has one, is not clear. But it doesn't matter, because the book is written with an exceptionally fine imagination, and is spine-tugging throughout. Not for films.

MPTOA in Session

(Continued from page 5)

Charles Williams and R. X. Williams, Jr.

**Cancellation and Play Dates**  
In additional labor provisions and zoning regulations of code, expected to go under attack, two leading issues will be the insistence for higher cancellation privileges, and demand that the code be amended to prohibit distributors from designating play dates on pictures.

Ed Levy, New Haven, has taken the first step against the practice of naming days when exhibitors must play specified pictures, and has already drafted a resolution denouncing the practice and will push for its passage by the convention with the recommendation that matter then go to Code Administrator Sol Rosenberg for inclusion in code.

Similar step will be taken on cancellation matter with Ed Kykendall personally committed to push for cancellation of around 20%. Code now provides an exhibitor can cancel up to 10% of product he buys. Result, he stated, seems to be that average exhibitor now actually gets more than 10% of eliminations, including pictures at end of seasons which distributor permits theatres to cancel. The code administrator for this year's product. This is an old practice of distributors to get new contracts in early, but Kykendall maintains that if the distributors are charged accounts equal up to 20% of the whole program rather than for the amount of pictures bought. In other words, his contention is that such high cancellation applies to the entire program rather than for the amount of pictures bought. In other words, his contention is that such high cancellation applies to the entire program rather than for the amount of pictures bought.

When the code was being written in Washington, exhibitors fought for higher cancellation privilege than 10%, but lost out. Hopes are that this matter will reach a final showdown here and that with distributor representatives present there may be a compromise of at least 15%.

Exhibit leaders also charge distributors are running them on preferred play-dating. This forces the exhib to play distributors' picture on day or days later designates, with best pictures going in on best days and ordinary under percentages, which means distrib then takes out more coin.

**Labor Provisions**  
Complaint against labor provisions of code seemed to be pretty general, with result that sweeping changes may be discussed with a view to revision. One exhibit element is ready to agitate against the zoning provisions, while another exhibit element is dissatisfied with the grievance boards.

With conventioners strongly against mass of adverse legislation, in Washington and in individual states, protection may be sought under code, or suggested amendments to code, based on certain legislation favorable to exhibs such as the bill recently introduced in Ohio to repeal designating play dates.

Distributors are much concerned over this Ohio bill, but indicated in some quarters that the Ohio measure may go down.

Technical labor is major among legislative problems of exhibitor this year, and definite plans will be laid to fight dangers plus other legislation and unfair or discriminatory regulation.

**Lightman's Committee**  
Kukendall is calling for concerted action of exhibs against legislation everywhere. M. A. Lightman heads the special committee on legislation and will hold sessions daily. He has picked his own members of committee. Charlie Pettjohn, Hays' tax expert, has promised Kykendall that he will get help from the convention end of the is now in Albany, N. Y., while ex-Judge Roy L. Walker, of Texas, is also on hand to go over legislative problems. Walker is president of the Texas Theatre Owners Association and is expected to offer valuable advice.

Indications point to a record convention attendance this year, with between 700 and 800 delegates present. Some came in for the others arriving yesterday (Monday). Counting wives and friends, figure will run close to 1,000 drawn here.

First special trains arrived yesterday morning and except for distributors' meeting late Monday, first leg of convention was given over to registration, sightseeing, etc.

Town looks like it has had of the picture. It was a very interesting report from all parts of the country and all branches of pictures plus technical and equipment men.

Convention proper gets under way today (Tuesday) at 2 p.m. with business sessions. Adjournment will be taken at 5 p.m. with Kykendall due to hold a reception on roof of the Roosevelt hotel.

Edward Levy, general counsel and acting secretary, offered his annual report this afternoon (Tuesday) in place of Fred Meyers, Milwaukee, resigned. Another report made after lunch by Joseph B. Berman, Fred Wehrenberg, St. Louis exhibitor leader and chairman of Public Relations and Community Affairs. I. Wehrenberg claimed that relations between the theatre and the community are vital and indispensable. He also pointed out the success of many exhibs in labeling pictures for family or adult patronage.

Result, he stated, seems to be that attendance increases for both types of pictures under this classifying. Representative exhibitors from all over ganged up on the film code of this afternoon. The session, denouncing it in no uncertain terms. It was practically unanimously proposed that drastic changes be made as the alternative to eliminating the code altogether. Among anti-code speakers were Morgan Walsh, San Francisco; Jack Miller, Chicago; Ben Bernstein, Los Angeles; Jules Michaels, Buffalo; Benoit, New York; and Benoit (Butterfield circuit); H. S. McLeod, New Orleans, and others.

A. Julian Brylawski, Washington Post, explained that he wasn't defending the code, but was protesting to eliminating the code altogether. The code issue be laid aside momentarily for other immediate matters. Lewin Pizor of Philadelphia suggested that the exhibitors put their code questions together and in presentable form so that a general complaint can be handed to Sol Rosenberg when he gets here.

Now is expected to be due here Thursday (28).

Code Set

(Continued from page 5)

contrary to prior indications, there is little likelihood that provision will be made for scrapping of existing agreements which are unsatisfactory to the industries affected.

The code system of industrial self-government would last indefinitely, under proposed legislation drafted by Roosevelt advisors and slipped quietly to members of the House in the President's message. They have unquestioned power which he now does not possess to amend any code in any way and at any time he sees fit. Voluntary agreements would be unenforceable. The President might have a code imposed by executive order if an industry failed to come forward or could not propose a satisfactory pact.

Slashing the code of the offing, whether or not Congress goes for the 30-hour law advocated by the American Federation of Labor. Under the code of the suggested legislation, codes would fix the work week between 30 and 40, with overtime for everything in excess of 40. Film code now averages 40 hours, with mechanical workers in production the only sizable group with a 30-hour week.

Existing code probably would be automatically extended for 30 days to provide time for revision to conform with the new act, expectation being that general overhauling of all current codes would follow the temporary adjustments.

Colclough criticizes the Roosevelt Administration's determination to continue the Federal NIRA for two more years came disclosure that efforts are being made to obtain enactment of 'Baby Recovery Law' in every state in the union to fix business which do not come under Federal control. Model law has been drafted by the National Labor Relations Board and is being widely and secretly distributed throughout the country. Many already are pending in state legislatures.

Congressional examination of the law the NIRA has been administered since enactment in 1933 moved forward last week, but indications are that inquiry will be more sympathetic and less punitive than at first. The Senate Finance Committee agreed to look into 21 specific accusations by Senators Nye of North Dakota and McCarran of Nevada in Administration. The move to stop peddle monopoly complaints of Senators Nye, Borah of Idaho, and King of Utah. King, however, said he is determined to proceed with the inquiry. Senate Finance Committee, which would put the film industry on the spot and have Lowell Mason, former counsel of the dissolved Darrow Board, as prosecutor.

## East

Ned Wayburn asking permission to reorganize under section 77 of bankruptcy act. Schedule shows liabilities of \$334,129 against \$112,511.

Miner Rice spoke on 'The Problems of the Actor at the Union church. Under auspices of the Actors' Forum, Equity group.

Pierre Trenary now starred in 'Noah' had been only featured.

Low Brown working on a summer show. Will use odds and ends of 'Tokel' Boy 'Makers Good' Harry Axt to do the tunes.

'Accent on Youth' to give a Sunday performance March 10 for State Relief fund.

Alex Yokel, if it isn't a press yarn, will tour 'Three Men on a Horse' via truck to the various race meetings.

Will use a portable fl-up similar to those used by the PWA. Will also take in the smaller tracks and fairs in the fall.

Edde Dowling planning a cross-country quartet mile long for 'Thumbs Up'. On the N. Y. C. right of way, just at the city line.

Erce Robert will be taken to a 19-room apartment on Park avenue.

Mrs. Evelyn Loether of Pitts-burgh, after Jimmie Durante, claims that during a recent engagement he 'kissed her left cheek, shook her hand, kissed her hat off her head and her coat off her lap. And she was mortified. Asks \$5,000. Shows denial.

Three boys arrested, believed to be those responsible for thefts from cars parked in Times Square district.

Group of experts engaged to analyze grand opera situation recommends reduction of season to 30 weeks and presentation of only ops of proven class, as shown by the recording of 'Tradeways, Inc. did the recording.

George Palmer Putnam, out of Paramount story dept., says he may give his time to the making of competition films. Plenty of material right in the family.

Players club presents 'Seven Keys to Baldpate' for its annual spring revival. Mentioned last year. Geo. M. Cohan will head the cast.

Roland Stebbins up from his Florida vacation for the New York return of 'Green Pastures', but he's going right back.

Joe's divorce split off from his divorced first wife by Mrs. Madeline Astor Dick Flernonts, who made a time to the marriage to Italy and under the Italian law he's still married to number one. Reported \$17,000 paid for her renunciation.

Justice Coddillo hands down his verdict in the Webb-Vallee divorce matter. She is entitled to alimony Vallee and from prosecuting suits in other states.

Kacy's has nine suitcases girls, each made up to resemble a picture-star, to model gowns.

Richard B. Harrison, who plays David in 'The Eastward Ho', back to town for the anniversary and

## News From the Dailies

This department contains rewritten theatrical news items as published during the week in the daily papers of New York, Chicago, San Francisco, Hollywood and London. Variety takes no credit for these news items; each has been rewritten from a daily paper.

visits Mayor La Guardia as part of the press plan.

Foreign rights to 'An East Side Wedding', Yiddish musical, have been sold. Piece also booked to tour U. S. tour.

Then theatre in the old Minsky holdout in Houston street will be day opening until tomorrow (Thursday). First bill will be 'chaste'.

Have a 40c top except Mondays, when house will be free to unemployed.

Emile Boreo to try a new idea in 'Emilide' theatre next season. A cross between night club and Grand Guignol.

Earl Carroll sprung in at Miami police jail. Told court he was acting as peacemaker and told to go home.

Out of town exodus on Washington street, heavier than usual, transport lines report. Even the bus lines ran extras.

Three Brooklyn men arrested on lotteries charge. Asserted they turned out \$10,000 a day, operating from a room in the Y.M.C.A.

Latest bootlegger drive is against cut-rate cosmetic shops which peddle fakes of higher priced scents.

Mostly loose sales.

Lee Shubert exhumed 'Trip to Pressburg'. If it can be galvanized he'll call it 'The Face at the Window'.

Gene Demps, mentalist, cables the mitten to J. H. von Berberberg, of Jensen and von Berberberg, picture circuit tycoon. Says he wants to settle in England and become naturalized citizen.

Coney Island plans a loudspeaker system. To call for lost kids, mislaid papers and von Berberberg, picture circuit tycoon. Says he wants to settle in England and become naturalized citizen.

Paramount, annoyed by craters, charged the arrest of 19 boys who sought entrance to the theatre through the fire escape doors. Boys were arraigned, but Campbell, through the fire escape, charged after they had been warned.

University of Buffalo plans a medal on Katherine Cornell who has enriched the generation's life. Annual award to someone who has done some great thing identified with Buffalo. She was born there.

Walter Prichard Eaton slaps pictures at the Yale Nat. Theatre conference. Calls them a 'parasitic art'.

Only three theatres failed to give mats Washington's picture houses were sold out. Most of the 26 cut rating. Picture houses were packed.

Bum Clark, radio singer whose real name is Samuel Goldberg, eloped with Louise Hilt, daughter of a New York widow.

Mrs. F. D. Roosevelt lit the audience at 'Within the Gates' Friday night.

William 'Billy' Bennett, former chorus girl, held for General Ses-

sions in \$5,000 bail on charge of selling narcotics.

Fannie Rice in a triple auto crash in Lancaster, Pa., Friday (23). Her motor car was heavily damaged, slightly hurt. Trying to pass the car ahead, her auto skidded and was crushed by two headed in the opposite direction.

N. Y. Legislature considering bill to prevent jurors in murder cases from appearing on the stage. Almost all Hauptmann jurors, who are considering a vaudeville engagement.

Harry L. Cort and Charles H. Armstrong have taken over the John Golden theatre on 58th street and have renamed it Cort's 58th.

To intimate musical comedies.

'The Old Adam' quits in rehearsal. Differences between author and producer over casting.

Washington worried over the liquor situation. Anticipated demand is about \$100,000,000, while the alleged distillers will turn out about 427,000,000 gallons, most of it whiskey. What to do.

Philips Lord's ship, safe at Pago Pago for repairs.

Newest questions game is legal problem proposed to be used for entertainment.

Colleen Moore's doll house will be on exhibition at the Museum of Art, April 1. It's being toured for the benefit of a fund she is raising for crippled children.

Another depression straw is a reported 40% increase in sales of 6 months last year.

Arrival of 'Rain from Heaven' several performances to prove a bronchial cough. Manarat Brock Pemberton took time out on 'Reverend With Music'.

With George Kirk riding over.

Another depression straw becomes 'No Mind of Her Own'.

Washington announces that the Jesse Laszky gets a cut of their 1934 income. Laszky was rebated \$33,242. And Mrs. Laszky's is marked down \$47,907.

Brock Pemberton advises applicants that he'll bring 'Ceiling Zero' back in the spring if it can be re-bated.

On the fall schedule. Lt. Frank Wedel, author, in from Hollywood for a time.

Beatrice Palmer, who says she has acted in pictures, obtained a summons in the West Side court charging James J. Whaley, a dentist who lives in the same building, with battery. Assert she dropped in for a consultation and he hit her with a hammer. She fainted in court from her excitement.

Mario Malvini, an unemployed musician and voice teacher, killed himself Feb. 21 by jumping out of a window in honor of his apartment. Fell 10 stories.

Muriel Kirkland engaged by Dimitri Stratos for her first Broadway show since she went into films in 1931. To be seen in 'No Mind of Her Own'.

Chester Erskine will bring 'De Luxe' into the Booth next week, so 'Laburnum Grove' told to scram.

Old vendors of the city held a cocktail party Tuesday (21). That wasn't what the kid magazine wanted them. Plenty of big literary names.

Jimmy Walker on a spot in London. He was in court for broke and his recent trip to Spain was financed by his present wife. Called to court to answer two judgments obtained for the same reason. He was his first wife. Coming out of court he told his failure to register with the police makes him liable to fine, imprisonment or deportation—or all three.

Elsie Janis thinking about a dramatic role.

Russian Opera season at Mecca Temple. Efrem Zimbalist the conductor.

Gertrude Lawrence doing a bankruptcy dunk in London. Lays part of her loss on the fact she had to pay double income tax on her American earnings. British got \$70,000 of it.

General Electric announces that radio waves give persons headaches but cure lame muscles. The last part is true.

Charles Laughton and missus called for London Sunday (24) where he will confer with Alexander Korda.

Spring six-day bike race starts at the Garden March 2.

His new discovery, French experimenter in third dimensional films, announces additional developments. His new discovery, French experimenter in third dimensional films, announces additional developments.

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all on Theron Banberger's shoulders.

Minie's 'Savah Sample', once offered by Theatre Guild, to get a showing from the New York theatre.

Brattle Hall March 20 and 22.

'Frank' McCormack will replace 'Houston' Hall. 'Hag from Heaven' when Hall heads for Hollywood.

Not anticipated that 'Romeo and Juliet' would get back the nut, even if it played to capacity, but Katharine Cornell announces that the production is now on velvet.

Leon Janney has been made under-study to Romney Brent in 'The Simplicity of the Unexpected Isles'.

Forrest has a minor part in the cast.

Lambis appoint Rudy Vallee, Paul Whiteman, Bert Lahr, William Gaxton, Victor Moore, Charles Wininger, Bobby Clark, Jimmy Savo, Eddie Dowling and Walter Huston to the committee at their public Gambol March 18.

Peggy Conklin limping through 'The Old Adam'.

Ruth St. Denis, dancer, gave an interpretation of the Psalms at the Metropolitan Opera house for Sunday (24), while two of her troupe intoned the religious passages she expressed.

Clad in a black robe which she threw off at the close to show white robe below. She explained it was the ascent of a man's soul from depths of despair to the heights of exaltation and praise. Congregation took her word for it.

Actors' Dinner Fund reports service of 239,311 meals since its inception in 1931. Of these 239,311 were eaten.

Jules Judels celebrated his 44th anniversary as master of rehearsals at the Metropolitan Opera house.

Oldest actor in the world, at point of service in the large staff. It's his job to see that the night-club, and the stage, are at the proper time for their once over.

Wilma E. Gould suing for \$500,000 damages against her brother-in-law, Norman J. Gould, and others in the Supreme court. She charged they hired 'Prince' Mike Romanoff to 'pol' her, and others.

Max Gordon has Walter Huston tied to 'Dodsworth' for another two seasons and will not sell the picture rights before then. To tour the country and then take it to London.

Now at the Pitkin, Brooklyn, held up Sunday while a woman picked four men in the audience who she thought were counter-revolutionaries. Not certain of her identification and the men let go.

The Lunts to do 'Taming of the Shrew' on the road in the spring. Theatre Guild, N. Y., will see it in the fall.

Rothaerd denies stories of sensational losses in his Phila venture. Says \$30,000 is maximum.

## Coast

Andre Duval, actor, reported to Los Angeles for consoling a woman with a lady at the Santa Ana track he was minus \$100 in cash and a watch valued at \$125.

Chap and Folio Webb of Santa Monica, father of Fay Webb, declared that the attitude of Justice of the Peace of New York toward counsel for the divorce of Fay Webb and maintenance suit was an 'insult to the law of California'.

Memorial services held by the troupe for Frederick Warde in Hollywood cemetery.

Iris Vera Vincent, English pacifist, announced she will produce 'The Road to Nowhere' peace festival, in Hollywood Bowl next summer.

Notified that his wife had received her final decree of divorce in London, Ronald Colman denied reports that he will marry Loretta Young.

Included in the best dressed women in Hollywood picked by Royer, stylist, are Claudette Colbert, Jean Harlow, Joan Crawford, Carole Lombard and Norma Barr.

'I love small towns for I'm just a hick myself,' declared Mary McCormack, explaining the choice of Fresno on her tour on account of a cold and not her dislike of the city, as was reported.

Patricia Knight, former actress, fined \$25 in L. A. on a drunk charge. She was charged with being drunk on her tour on account of a cold and not her dislike of the city, as was reported.

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serving one year of a term for jail breaking, back at Warners as director.

Norviel E. O'Shea, actor, divorced in Los Angeles.

Ludwig Lewisohn, author-lec-turer, granted divorce in Juarez, Mexico.

Dr. J. J. charged in divorce suit, filed in L. A. against Jack Kirkland, screen writer and author of 'To-bacco Road'.

Jack Kirkland is former partner of Jay Shadduck, film actress; Kirkland's first wife was Nancy Carroll.

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# Among the Women

By The Skirt

Best dressed woman of the week:  
ANN DVORAK  
(Sweet Music—film)

## 'Sweet Music,' Sweet Picture

Rudy Vallee is at his best in 'Sweet Music,' at the Strand. Ann Dvorak is also happily cast. Picture is devoid of flash numbers so familiar in a Warner picture, and it's a blessing for a change.

Miss Dvorak is a night club girl and is costumed beautifully at all times. One costume consists entirely of white sequins feathers. Another dancing outfit is of white meline with a bodice of narrow lace ruffles. A muff is of the same with a small hat trimmed in aigrettes. There is a cloth coat with a wide belt and square buttons. Several black tailored suits varied as to neck trimming mostly of metallic material. One black outfit has a wide white rever with three huge buttons. Once lace trimmed another black frock. A checked suit had a white blouse and collar. Quite lovely was a light cloth dress studded at the belt and cuffs with metal nailheads.

Alice White, in a sappy role, is splendid and looks unusually well in a black skirt with a bodice of a huge black and white check. A white suit had a spotted cravat with hat matching. A long white tunic, with frogs, was worn with a black skirt. Another costume had a pointed collar of black and white stripes. Helen Morgan, in for one number, wore a long, plain black gown with white yoke. A three-tier silver fox cape was around the shoulders. The finish of the picture had a chorus of girls in crystal costumes.

## Chevalier's Good One

Maurice Chevalier needs not worry about getting old. The older he gets the better he looks, judging by the double exposure in 'Folies Bergere' at the Rivoli. It's a grand picture.

Merle Oberon will draw raves, and justly so, although her face is more a beautiful mask than human. The clothes worn by this imported actress are the usual Hollywood models, sumptuous and expensive looking. She is seen in a white gown worn with a short jacket trimmed with much sable. Dressed for a reception, the gown is of a silver metallic cloth made with no trimming but bowed in two places down the back. Earrings and clips were of cabushons and diamonds. A negligee was of a print chiffon over a plain slip, and pajamas fairly rustled in their stiffness. The trim of a dress of white with the trousers plain. Ann Sothern is also in the picture and does a splendid job as the jealous sweetheart. A black velvet suit was oddly trimmed, bustle fashion, at the back with cuffs matching. A solid black sequin gown was worn with a white fox cape. Miss Sothern does a number with smaller dresses, black trousers, and jet Eton jacket. Feathers trimmed a white evening gown.

Big number of the picture is built around Chevalier's straw hat. The girls are in black pants and short coats.

## State's Busy Ushers

'David Copperfield' continues the bet of Broadway if business at the Biltmore is a criterion. The young women ushers had their hands full Saturday afternoon. When the songs show started, and it did, it was more interesting watching these young ladies.

Gertrude Niesen stands before the mike and sings. Not a smile, not a gesture. Just sings. The gown worn was very good looking. In the different lights it took on many shades. In some it was rust with gold dots while in others was one with diamonds. Made severely plain the ornaments were diamond earrings and a bracelet.

The girl of Russell, Marconi and Jerry was in pajamas of green with a pink bolero. She is a very pretty blonde and can hoof. The Danny Dare Dancers, with Terry Lawton, are another Aristocrat act. There are eight girls in this turn and six boys. The girls go Mexican in short white frocks edged with red. Black velvet boleros cover white blouses having huge ruffled sleeves. Ties were red, and for no reason the girls wear green ribbons banding the hair. For a finish the girls were in ruchaia satin dresses with chiffon godets in the skirts. Belts were silver and shoulder straps black. The red slippers were too awful. A solo number was done by a miss in black velvet with many cutins revealing the torso.

## The Palace

Washington's Birthday brought a good crowd to the Palace. Ruiz and Bonita opened the show in a well-worn wardrobe. The pink feathered costume of Bonita was vaguely familiar. She had black velvet and lace inserts in short green frocks with brown puffed sleeves with hat and shoes of the same shade. They change to periwinkle blue full skirted dresses with rose trimming. The girl pianist is in an evening frock of pale green.

Carl Shaw has a girl in a strawberry colored satin frock with a coral colored velvet jacket and collar. The bride in Charles Timblin's act is now a white bride. The material is sprinkled with rhinestone while the bodice is of silver sequins. She carried a cerise muff. Ann Butler, singing with the Art Landry band, was in a gown of black sequins.

## Carole Lombard's Flash

Margo, of the picture 'Rumba,' is making a personal at the Paramount. She sings and dances on a raised platform in the pit. Her gown was a French blue cloth.

Carole Lombard wears some lovely clothes in the picture and shows some exquisite jewels. A cowl necked frock had two clips as ornaments, and bracelet almost to the elbows. A black gown was modeled with round neck and was made mostly of huge black sequins. A white tunic frock was worn with a sable trimmed cape. A black dress was severely plain, fashioned with a hip length tunic belted with a buckle. A short broadtail coat was also belted and worn with one of the new off the face hats.

A yacht Miss Lombard is seen in dark trousers and a white blouse with dark bandings. A hostess gown with plain black panel down the back had a white front most embroidered. The gown of gowns, however, was of silver sequins. The full skirt was solid with the front of the bodice in a criss-cross of white. The picture carries a chorus doing a number in silk skirts with trains of many ruffles edged with spangles. They also do a shawl dance over fishings.

## Mostly Blue

On Music Hall stage this week is a symphony in blue with the girls in long blue and white frocks. The full skirts are white at the top shading to blue at the hem of feathers. The bodices are embroidered in silver sequins. Poke bonnets are also topped with feathers. Another line of girls are in feathers at the shoulders and head. Blue gloves show vivacity several rhinestone bracelets. Four tall damsels are done up like valentines in exaggerated costumes of silver and blue. A young miss, in a flute solo, wore a lovely gold gown. Hilda Eckler did a platform number in an all red costume. The 'Hall of Pillars,' for the finale, will bear repetition.

The picture is 'One More Spring.' Janet Gaynor is a girl out of work and for an entire winter she is in a cloth skirt with knitted jumper and white collar. When spring comes around the dress is exactly as it was all winter; not the slightest run in either jumper or stocking.

## Did You Know That—

Irma Goldberg broke her toe skiing... the John Hallidays have adopted a baby boy... Olive McClure will join Sylvia Clark in the dress business... the Walter Craigs sail for Europe in June... Gladys Baxter opens this Friday (1) at the Club Fouquet... John Charles Thomas will entertain the Earl Benhams on a cruise via his yacht... Herb Harris is excited about his new elaborate part-time... That new novel of Rita Weisman's, on show people, is liked by show people... Fay Marbe wore a very military coat, with large frogs, strutting up Fifth ave. the other day... When it's cold, Odd McIntyre wears a racoon coat with his opera hat... Neal Andrews is off to the Coast to meet Dorothy Hall and accompany her back east... Blossom MacDonald is lovely with those new bangs... John and Ellie Huddle will sail for Nassau... Jeanne Greene, Beatrice Blinn, Jimmy Savoy, Jack Benny, Bob Ritchie, Al Melnick, Louis Shurr, George Kaxas, Dick Krackater and Bob Perkins all lunching at Sardi's on Monday... that was Mrs. Jack Pearl at Saki Fifth ave. in a grey Krimmer and Mrs. Jack Benny in a blue dress... Rusty Witting will take a trip around the world very soon... Barbara Newberry is back in circulation, having broken her engagement to Eugene... before leaving London, Jack Whiting's mother is still in a critical condition.

## ASK BOW-WOW BETTING

Seattle, Feb. 26. Three bills have been introduced at Olympia to legalize betting on the greyhounds, with one of them calling for 50% of the gate receipts to go into the old age pension fund, and 12 1/2% of the betting money.

# Dionne Babies Seen by Canada as Maybe Reviving Yank Tourist Trade

Toronto, Feb. 26. With hundreds of inquiries coming in from United States points regarding highway conditions from the border to Callander, birthplace of the Dionne quintuplets, the Ontario government's tourist bureau is making comprehensive plans to revive holiday traffic this summer. Hopes to bring it back part way to the 1929 volume when more than \$125,000,000 was spent in Ontario by American visitors.

Callander hospital may prove a mecca of the curious this summer but it should be remembered that the boom-year tourist volume was due to a 'social need' which has been met by repeal.

Meanwhile Premier Hepburn states he will refuse to see Paul Martin, Dionne barrister, who is seeking to obtain for the famous quintuplets' parents a share of the money accruing to the babies from films, testimonials, syndicated stories and picture rights. Martin also proposes to take definite steps to obtain parental control of the girls for the Dionnes. At the present time, five guardians have been appointed by the Ontario Government. A trust fund of approximately \$100,000 is also in the custody of the Government and will be turned over to the Dionne girls when they become 18, according to the Premier.

An innovation this year will be the Junior League's maskers' ball, with a real court, and also a bar and floor show for strangers in the city. Hotels are enjoying the greatest pre-carnival business in many years, their managers have revealed. And, on the basis of advance hotel reservations, New Orleans should have the largest carnival throngs in history.

Thoroughly incensed over this latest move, the Premier said: 'Al-

though Paul Martin is a friend of mine, I will not discuss with him this new attempt of chieftens and racketeers. I will not see him or give him a chance to see me on this matter. I don't think Mr. and Mrs. Dionne have much to worry about. They have been well taken care of here. They are getting about \$1,000 on their vaudeville tour. It makes me wonder if the Dionnes fully realize what the Ontario Government has done for them and the five babies.

# BIGGER AND HOTTER MARDI

New Orleans, Feb. 26.

This is the time of the year when the native born go about their business whistling the pompous marches to which queens of balls take their places.

Those who have been watching the calendar realize that Mardi Gras, March 5, is a short way off. Those who have been keeping track of carnival activities see the gains coming thicker as the city gets down to the serious business of amusing itself and paying host to thousands of visitors.

Sometime ago a work turning hundreds of bolts of shiny materials into costumes that will gladden under the spotlights. Floats are guarded in inconspicuous dens and are receiving their finishing touches.

An innovation this year will be the Junior League's maskers' ball, with a real court, and also a bar and floor show for strangers in the city.

Hotels are enjoying the greatest pre-carnival business in many years, their managers have revealed. And, on the basis of advance hotel reservations, New Orleans should have the largest carnival throngs in history.

Sharing the enthusiasm of the hotel men are the theatre managers.

# Re-Arrest Herbert Logan On N. H. Arson Charge

New Haven, Feb. 26.

Herbert Logan, freed from Boston jail after serving time for illegal possession of inflammables, was re-arrested there Feb. 21 as a fugitive from justice in connection with local theatre firing some months ago. Logan denied complicity and refused to waive extradition.

Logan had been held in Boston as a suspect in Mass. and Rhode Island theatre bombings some time ago.

## SASKATCHEWAN'S CENSOR

Winnipeg, Feb. 26.

Rev. Dr. Robert Milliken has been appointed film censor for the Province of Saskatchewan.

He will have headquarters here, sitting in with the censor of Manitoba.

## BIRTHS

Mr. and Mrs. George Whittliger, daughter, in Hollywood. Father is in Metro art department.  
Mr. and Mrs. John York, daughter, Feb. 11, in Park Washington, L. I. Father is touring with George M. Cohan in 'Ah, Wilderness'.  
Mr. and Mrs. Lule Terrell, daughter, in Los Angeles, Feb. 20. Father is employe of RKO 'Hillstreet'.  
Mr. and Mrs. Andy Clyde, son, Feb. 25, in Hollywood.  
Mr. and Mrs. Frank McHugh, son, Hollywood, Feb. 25.  
Mr. and Mrs. Milton Rogers, son, Brooklyn, N. Y., Feb. 24. Mother is Ruth Ford, vaudeville.

## MARRIAGES

Mary Sarica Vallee to Chester Miller, Feb. 13, in Erie, Pa. Groom is producer-manager for Jean V. Grombach, Inc.; bride is 15 ft. tall.  
Louise Hitz to Samuel Goldberg, in New York, Feb. 20. Groom is Buddy Clark, of radio.

# VARIETY'S BROADWAY GUIDE

For show people as well as laymen, this Guide to general amusements in New York City inaugurated here in 1929, is revised and published weekly in response to repeated requests. VARIETY lends the guidance of its judgment in the various entertainments denoted.

No slight is intended for those unmentioned as text will be switched weekly. The lists are of VARIETY's compilation only and as a handy reference. It may serve the out-of-towner as a time saver in selection.

## PLAYS ON BROADWAY

Current Broadway legitimate attractions are completely listed and commented upon weekly in the Legitimate Section.

In that department, both in the comment and the amount of the gross receipts of each show will be found the most up-to-date information as to the most successful plays, also the scale of admission charged.

## FILMS ON BROADWAY

Similarly the new pictures—in the Broadway-first-runs—and combinations are covered weekly in the reviews, the film gross boxoffice story and the standing box on Page 6 which indicates the new films for next week and the week after.

## BEST FILMS ON BROADWAY

Strand—'Sweet Music' (WB).  
Rivoli—'Folies Bergere' (UA).  
Capitol—'Sequoia' (Metro).

## HOTCHA NITIES

Barrel of Fun, Ubangi in Harlem, Nut Club in the Village, and King's Terrace in Times Sq., are sufficiently heated for the hectic nocturnal addicts. Lou Richman's new 1935 version of the famed Dizzy Club is another lively entry.

Less hectic but equally hilarious, Eddie Davis' saucy songs at Leon & Eddie's and the mauve-decade gang-singing at Gay 90's are surefire for lively diversion and diversions. Club Richman, also lively, has a new show, away from the 'nice boys' idea.

Harlem has a number of open-door and hideaway hot spots, but they must be guided by insiders, principally 'professionals'. Any number of Times Sq. slide-street diateries are also good diversion if yearning for 'different' type of atmosphere. Mimi's Faubourg, Montmartre and the Bal Musette are in that category; likewise the Cafe International, and any number of Italian eateries. Latter have about killed off Little Italy, since it's easier to get everything in that field right in the Broadway belt without taxi-ing. However, authentic Flaminio entertainment like El Chico in the Village, and Havanaes like the Cubanacan in the Spanish sector of Harlem, are well worth the trips. Boris Thomashefsky's Old Roumania on the east side is a different type of Ghetto-American nocturnal diversissement.

## 'CLASS' AND 'POPULAR' NITIES

Smarter east side (mostly) spots include the new Versailles, Reno, Merry-Go-Round, Colony, El Morocco, House of Lords, Jack and Charlie, Club New Yorker, the New York Club all save El Morocco. Radio City, Radio City Roof-Deck Center; Johnny Green at the St. Regis Hotel; Leo Reisman's music at the C. P. Casino getting a big play, with Ethel Merman; the Savoy-Plaza, the Waldorf; Ozzie Nelson at the Hotel New Yorker; Peppy's Chapeau Rouge and the Place Pigalle are among the smarter supper hooteries.

'Bergere's' revue is still the top cabaret money-getter (over \$50,000 gross weekly) but the new Casino de Paris show is an important nitty factor; of the new starters, Jack Dempsey's new chop house will also worry the boys. Paradise and Hollywood among the outsider mass cabarets.

## RECOMMENDED PHONOGRAPH RECORDS

(Under Disk Reviews will be found the recorded outlanders regularly each week.)



## Broadway

Ti. and Irene back from a short vaude tour.

White Horse Tavern renamed to Aerodrome.

Milton Shubert and wife on West Indies cruise.

Peart Garon joins Don Costello's band at Mor's.

Bryce Oliver handling news comment over WHN.

Dorothy Ross opened a publicity office in her own.

Sam E. Moris, Warner v.-p., off to Florida for a two-week rep.

Matty Rosen flew to the Coast, Friday (22). Back yesterday (Tuesday).

Sammy Krevoff, the vaude knockout, has changed his name to Teddy Adler.

Ruth Morris and Cecelia Aser due back next week, with the town positively palpitating meanwhile.

Clock on top of the Paramount Building gave up the ghost for two days last week.

Paul White, CBS special broadcast and news chief, and Mrs. on Bermuda vacation.

Harry Wagner can't play polo because burglars copped his polo coat, plus \$92 in cash.

WMCA plants a microphone in New Yorker lounge to get house guests on for short squibs.

Artel Players at President see Russian cocktails between acts—glass of tea with the house.

Dempsie put on his own meat up for the Friars-Frolie and had too much red on his lips.

Lou Rydell was Kentucky-cold—order by Gov. on last week.

First backstage single ever so honored.

James old Coast commutators, the Ab's Lastfogia, will linger in New York for three months before returning to Hollywood.

Jack Henry Ford of Chicago, and Hearst society writer in Windy City on Romberg's hour Saturday night (23).

Thomas Mitchell doubling between the lead in 'Fly Away Home' and scouting out of town to direct Hollywood Holms.

Louis Soble Old Doc (Leo) Michel and Ted Baldwin motoring to Mexico, thence to Coast. Soble will column on the way.

Harvey Day, Terry-ton rep, accompanied E. W. Hammons and Jack Strickland to New Orleans for the MPTOA convention.

Six-day bike grind takes possession of the Golden Sunday, and with all other sports events scratched there next week.

Jack Sullivan, back from Florida, looks like one of the Mike Brothers. Jake Lubin also back in town and he's no bottle of milk either.

Sammy gets some boxing Friday (1), with Sammy Fuller and Lou Ambers competing for chance to mount the championship bout.

American Legion Sousa Post 1112, composed entirely of musicians, holds an entertainment and ball game at the AWA clubhouse.

Judy Vallee goes to Florida for five days following his Thursday (22) broadcast. He'll be back to 'Sweet Music's' opening in Miami.

Helen Samuel, wife of New Orleans O. M. Samuel, a trail of paintings on the yellow. Then Beach. Canvases are there by invitation. Other paintings by Mrs. Jackson are being displayed in New Orleans.

Arthur Knorr, staging a number for the Friars-Frolie, asked for volunteers to receive letters. Receiving no replies, he demanded, 'Aren't there any good Friars here?'

Bill to answer to the yellow. Then how about a couple of good Lambs? At the first sign of spring (Monday 25), the boys all rushed to grab reservations for the summer on the 47th street beach. First come, first served. Another rumor to show up with the sun was the Square's telescope guy.

## Westport, Conn.

By Humphrey Douens

John C. Wilson weekends at Fairfield.

The Phillp Dunningtons off to South America.

Elizabeth Lennox will give New York recital.

Flan Bourke joins 'As Thousands Cheer' on road to Atlantic City.

Plicer and Douglas returning about March 1st.

The Leo Marshalls are spending the early season in town.

Everyone has their fingers crossed about that early season.

Howard Croft is visiting his teacher, Frank LaForge.

Mario Braggiotti has weathered the winter here, writing music.

Vaudeville out of Globe, Bridgeport, which reverts to tab shows.

Colony transported to New Haven during D'Oyly Carte engagement.

Edna Rita Weiman and Maurice Marks.

After commuting to Broadway all winter, Vivienne Osborne has moved into town.

## London

Mrs. Hanneh Swaffer on the stock list, in the last success to the 'Kidd Millions' (UA) at the London Pavilion.

George Harris and Sybil Allen married.

Carl Hyson has filed a petition in bankruptcy.

Marjorie Tiller, now in the Bobby Henchaw show, is father here for his son's 21st birthday.

George Harris pursuing some of the Andy Rice scripts.

Papa Berman angry with son, Monty, for not writing.

John Hanley and family now in Japan for Brown Brothers.

Half a Crown closes 10 weeks' run at the Adelphi Feb. 16.

Between Us Two closed at the Criterion Feb. 8 after 10 days.

Current 'Crazy' Palladium show, holds the record with 25 weeks.

Jack Rubens actually kidnapped at the Pyramids, but got away.

Elizabeth Bess, husband, Dr. Paul Chtiner, New York bound.

Margaret Sullivan and husband, William Wyler, at the Dorchester.

Savoy hotel March 4; then to Paris.

Polly Walker and mother back from Australia and apartment hunting.

Daric, Tucker, here to assist George Kamer in the Walt Disney office.

Irwin Dash just back from a recuperating holiday after a fortnight of illness.

Sir Thomas Beecham withdrawing his libel suit against the Daily Express.

Maude, new counsel to the General Postoffice, is son of Cyril Maude.

Fred Archer has purchased novel by David Hume titled 'Crime Unlimited.'

George Smith doing three quickies for Radio Pictures at the Walton Studios.

Mrs. Violet Melnotte losing \$10,000 worth of jewelry at the Piccadilly Hotel.

Walter Wing claims he is promoting a film shooting expedition for Radio Pictures.

Lithuanian Ballet, from Monte Carlo, currently at Alhambra for three weeks.

Gray Nina and Low and Webster off to Australia for Tommy Holt's 'Crazy' show.

Gray Nina and Theima Leads to do a broadcast besides playing Palladium dates.

Talk of Lew Leslie doing a straight play, all colored, starring Paul Robeson.

Binnie Barnes delaying her Hollywood debut to play in a new musical at Daly's.

Billie, the 'boy' of the Houston Sisters, has just published her first novel, 'The Mystery of the Stars.'

Reg Connolly out of the hospital minus his appendix and planning an American tour at end of March.

Arthur Gilmore of Gilmore Productions, owner of Theatre Royal, Singapore, here on a talent hunt.

Ray, Edna and new-Savoy Holloway picture, and understood being backed by Simon Rowson.

Frank Law and Frank Law underwent a second marriage ceremony, this time in London church.

Mat. McKeigue in close confab with Douglas Fairbanks, Jr., filmster's secretary, at the Cafe de la Paix.

Harvey and Esco LaRue throwing party for Palladium 'Crazy' outfit and George Rhodes Party.

Alexander Korda waiting for arrival of Charles Laughton from Hollywood to discuss details for the new picture.

Philip and Almee Stuart surprised their latest play, 'Love of Women,' by a censor, necessitating heavy revision.

Eddie Elkins with company of 14 wants \$2,500 per week and round trip tickets to come over, with permission to double.

Charles Raymond taking the chair at the Clubhouse, Connonway, Debates Club with spouting subject 'Novel in Movies.'

Piccadilly Synopsators brought over from Holland to do their specialty in 'Dance Band.' Buddy Rogers' flicker for B.P.

John Matthews and Sonnie Hale adopted a three-week-old girl following death of their son soon after birth couple of months ago.

Peter Lesence, Bucharest promoter, to the Trenchers as a result of broadcast following appearance at the Trenchers private party.

Scenes from current Palladium 'Crazy' show will be woven into the 'Crazy' and taken to the streets with Max Miller heading cast.

Three Wise Folks (Doris Canfield, Frankie D'Amore and Jack Lane), who have been under the microscope, D'Amore resumes old acro act.

John Paddy Cavanah studies over to British Star films to script 'Pic-

## CHATTER

cadilly Circus,' which features Nervo and Knox. Ralph Cedar will play the lead.

'Escape Me Never,' B&D film with Elizabeth Bergner in her original role, in the last success to the 'Kidd Millions' (UA) at the London Pavilion.

Edna Melnotte to appear in role in 'Delirium,' originally intended for Richard Bennett. Show changes title to 'Delusion' and opens in Manchester Feb. 28, before coming to West End.

Drury Lane's pantomime season of 'Cinderella' closing March 1, with the Queen's Park, making way for Dion 'Pillars' translation from the French of 'Man of Yesterday,' starring Leslie Banks.

'The Wind and the Rain' transfers from St. Martin's to the Queen's Park, making way for Dion 'Pillars' translation from the French of 'Man of Yesterday,' starring Leslie Banks.

Marathon dances at Circo Palace stopped by police.

Queenie Thomas, British actress, vacationing in the Balearics.

Angelina Sanz, Teresita Aguirre and Enrique de Rosas off to U. S. to see the new production of 'The Three Musketeers' in Buenos Aires.

Alexander Korda and son, Peter, taking a few days off in Palma.

Mayor Salazar Alonso drafting a law for protection of theatres.

Edoardo Soto, Mexico's plumpest actor, back here with his revue after a not so exciting provincial tour.

Don Cosack Chorus prevented from coming to the Puebla City by a general strike there which involved stage hands. Full house nearly closed in demanding its money back.

Lauren Draper, cinematographer, formerly with Metro, and Robert Quigley, director, ex-RKO and U. S. on staff of Cinematografica Mexicana, S. A., one of the largest native producers.

Victoria de la Rosa, Raquel Torres and Isabella Caceres heading Barbiere music hall lineup.

Julita Antunes, Pilarin Frias and Gloria Navarro pulling them in at the Excelsior.

Gong, music hall, padlocked because of Sarita Jordan's alleged indecent performance.

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## Mexico City

By D. L. Grahame

Extras employed at local pic studios have organized a national union.

Government lining up Mexican wine and likker makers for concerted drive at U. S. biz.

Country now playing to a 10c top, formerly never played below a 28c top.

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## The Hague

By M. W. Ety-Leal

Rotterdam getting a new cinema with 800 seats.

Owing to heavy tax, Holland dropping the best picture.

Harry Baer, French film star, in Amsterdam for gala premiere of 'Nuits Moscovites.'

Field of entertainment tax at the Hague in January, 1935, practically on same level as 1934, about \$24,000.

Hofstadter gave premiere at the Hague of Henri Bernstein's play, 'Le Messager' in Dutch version.

Cinemas at Utrecht sent petition to Municipal Council asking for lifting of embargo on children under 16 years of age.

Dutch film industry has its own Shirley Temple, who made debut in latest national production, 'My Wife's Family.' Child's name is Baby Beppie.

Two Dutch Blooscopond taking steps to regulate number of cinemas and film distributors at Amsterdam.

Field of entertainment tax will be allowed to be finished, but new building will only be permitted by special consent.

Twelve premieres at The Hague in same week of prominent films attended by cabinet ministers and diplomatic corps. At City Cinema the German 'So endete eine Liebe' and at the Princess 'Junge Liebe,' produced in Czechoslovakia.

## Honolulu

By Mabel Thomas

Carl Brisson and his wife due.

The Cole Porters and Moss Hart two-day visitors on a world cruise.

Chris B. Holmes back here to spend his holidays with his mother.

Ann Harding decided to remain here in preference to going on to Japan.

Gene Buck notified Johnny Noble he's elected a member of the ASCAP.

Fritz Hart, Australian symphony director, conducting his fourth season.

Harry Carr, of the L. A. Times, will teach at the University of Hawaii this summer.

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## Madrid

Coliseum back to films.

Luisa Roman looking around.

Moises Simon looking around.

Luisa Roman, vet actress, dead.

Anna May Wong off to Copenhagen.

Rubinstein and Piatigorsky concerting.

Quintero Martinez Ferry new WB rep here.

Corinto y Oro, ex-bullfight critic, lecturing.

Carmen Burquette rumba singing over EAQ.

Lola Membrives back from Buenos Aires.

Juan Garcia set for a Mexican warbling tour.

Max Friedland of Universal visiting hereabouts.

Pic of Lope de Vega to go on postage stamps.

Hollywood, nitery, conducting a carload of cinema.

Marathon dances at Circo Palace stopped by police.

Queenie Thomas, British actress, vacationing in the Balearics.

Angelina Sanz, Teresita Aguirre and Enrique de Rosas off to U. S. to see the new production of 'The Three Musketeers' in Buenos Aires.





# OBITUARIES

## ZELDA SEARS

Zelda Sears, 62, actress, playwright, and scenarist, died in Hollywood Feb. 19, after a long illness. She is survived by her husband, Louis Wilsell, and a sister, Marie Paul.

After a brief career in a store, she went into newspaper work in Chicago, working in the theatrical department on interviews and general writing. She came to New York with stage ambitions and was given her first assignment, in "Sowing the Wind," by the late A. L. Brainerd. After a tour with the company she went into stock in Chicago and was brought back to New York for a W. A. Brady company, later going into his "Lovers' Lane." She drifted into playwrighting through Clyde Fitch, doing much play doctoring and writing a number of originals, including "The Heart of a Child," "Lollipop," "A Lucky Break," "Underdog," and "The Scarlet Woman." "Underdog" was written in collaboration with Garnet Weston.

She went to Los Angeles for Cecil B. De Mille and from there to the Metro studio.

## HARRY TIGHE

Harry Tighe, about 50, died in his home, Old Lyme, Conn., Feb. 10. He had suffered a paralytic stroke and died before he could be gotten to a hospital.

Tighe started some 20-odd years ago in a vaudeville act, his breezy personality and rather strenuous methods getting him quick attention. He presently started production of his own acts and played in many musical comedies. He directed Buster Keaton in a number of comedies for Joe Schenck and also merged other productions for the same studio.

In recent years he has conformed himself with radio and last year was on the Good Guy gasoline program. Survived by his widow, Marvel. Interment in New Haven, his birthplace.

## EMILY W. HARTLEY

Emily W. Hartley, one of the few women managers of a theatre, died Feb. 21 in a New York hotel in New York.

## JAMES SCOTLAND

Stage Treasurer and M. L. State Treasurer who died in New York City, Feb. 19, 1935. Harry Burns, Doug, Leavitt

which she had been spending the winter.

Mr. Hartley went on the stage at an early age, playing in "Lovers' Lane" (Shore Acres), "The Girl and the Judge" and other New York productions. In 1912 she was in the stage to build the Stamford theatre, in Stamford, Conn. The house opened in August of the following year with the premiere of Elmer Rice's first play, "Ourselves." The Drunkard's Abominable Lincoln was given its premiere there. In 1927 she leased the house to Samuel Weiss, retiring to her farm.

A son, husband Hartley, survives. Her husband, Randolph Hartley, died in 1931.

## J. PARKER COOMBS

J. Parker Coombs, 65, the "Daddy Jim" of the original RKO gang, died in Great Kills, Staten Island, Feb. 23, of a sudden heart attack. He retired from the gang last spring after a connection of 11 years.

A bass of unusual power, he was for three seasons a member of the Hippodrome company, filling the large auditorium with ease. He went to the Henry W. Savage company, making a strong impression as Klingor in "Parafin" and did considerable work in the Gilbert Sullivan revivals staged by Frank Moulton. He was one of the original entertainers at the Capitol when that house was opened in 1913. He is survived by his widow, two daughters and two sons.

## MORRIS KOHN

Morris Kohn, 71, pioneer motion picture man, died suddenly at his home in Nanuet, N. Y., Feb. 21.

Mr. Kohn was a partner of Adolph Zukor in the fur business and with him entered the exhibition end of the picture business. When Zukor founded Famous Players Kohn went with him and was president of Realart Pictures, a Paramount subsidiary.

He served in a similar capacity for Select when that was established. He retired from pictures about 12 years ago, but he had served through the formative period of the pictures and had contributed materially to its advancement.

Interment was in Westchester.

## DOUGLAS Z. DOTY

Douglas Z. Doty, 60, magazine editor and film writer, died of a heart attack in Los Angeles, Feb. 20. He was editor of Century and Cosmopolitan magazines prior to coming to Hollywood in 1925 when he joined the Metro writing staff. Previously he had edited St. Nicholas and had been with the original (S. S.) McClure syndicate. He also worked at Paramount and Warners.

## IN MEMORY OF RUPERT GLOYE RICHARDS

## CVC

where he turned out originals and screen plays. Cremation followed funeral services in L. A. Feb. 22. Widow and a son survive.

## ROBIN E. WILLIAMSON

Robin E. Williamson, 45, veteran comedy director, died Feb. 23 in Los Angeles. Born in Denver, he came to Hollywood 18 years ago and was the first director on the early Laurel and Hardy comedies. Others who took his direction were Ben Turpin and the Mack Sennett screen comedies. Prior to his picture work he was a stage comedian. Funeral services in Hollywood Feb. 25. Remains cremated. His widow survives.

## PIERCE KINGSLEY

Pierce Kingsley, 73, died in Bayshore, L. I., Feb. 21. He had for some years been a guest at the Pupils Williams home at Islip. In earlier years he had figured in many of the Williams melodramas. He started with Lenhen & Bates and was with the Primrose and West musicals in the heyday of minstrelsy. He also supported J. K. Emmett and Joseph Murphy. His widow survives.

## THOMAS BRADY

Thomas Brady, 50, died suddenly in Toronto, Feb. 25, of heart failure. At the time of his death he was connected with Regal Films, distributors for British Gaumont, London Films and Eastborough. He had formerly been in Buffalo for Fox and Metro and was Canadian representative for Pathe at the time of its merger with RKO.

He is survived by his widow and four sons.

## JAMES TOWNSEND

James Townsend, 66, member of the IATSE since 1905, died Feb. 2 in Los Angeles. Survived by two sisters.

Most of Townsend's work in the theatre was with Alexander Pantages, with whom he had gone to the Klondike. They staged hand first joined the union in Seattle in 1905, transferring to L. A. Local 33 in 1920.

## JAMES SCOTLAND

James (Scotty) Scotland, 37, member of the standard acrobatic Wilson Aubrey Trio until retiring two years ago to join the New Jersey State Police force, died Feb. 19 at Trenton, N. J., from injuries sustained in an auto accident while on duty. Widow survives.

Further details will be found in the vaudeville section of this issue.

## GENE DEMONTREVILLE

Gene Demontreville, fair man known throughout the South, died at Memphis, Tenn., Feb. 13, a few minutes after he had been in the theatre a fire at the fairgrounds. He had been connected with the fairgrounds in Memphis for 27 years and was 64 years old. He was concession manager and superintendent of the park.

## SAMUEL H. HERRON

Samuel Hemming Herron, 73, former New Philadelphia theatre owner, died Feb. 21 at the home of his daughter in Delroy, O. Mr. Herron, old-time Eastern Ohio theatre exhibitor, had been ill for some time before his death. He

is survived by a son and two daughters. Interment took place in New Philadelphia.

## THEODORE FRANKOWIAK

Theodore Frankowiak, retired vaudeville actor, died in his home in Lakeside Park, N. J., following a heart attack. He had been an acrobat with his brother, Anthony, but retired some time ago.

He leaves his father, five brothers and two sisters.

## HARRY TODD

Harry Todd, 71, died Feb. 18 in Glendale, Cal., of a heart attack. He started in pictures with the old Esanay company and appeared in many westerns. He is survived by his widow, known professionally as Margaret Jodan, and a daughter. Funeral services in Glendale Feb. 18 followed by cremation.

## EDWARD ESMONDE

Edward Esmonde, 73, former dramatic actor, spent 19 years in vaudeville in "The Soldier of Propriety," died at his home in New York Feb. 23. He was one of the trustees of the Actors' Fund.

Survived by his widow. Interment in Canal Winchester, O.

## RUBY DEAN

Ruby Dean, 48, who had played in pictures until the advent of sound, died in Cleveland, Feb. 23.

She was a former partner of Jack Gardner in vaudeville.

Fanny Leslie, 73, old-time musical and pantomime artist, died in London, Feb. 23. One of her day deceased popularized many songs during her career, and appeared with such stars as Dan Leno, and Herbert Campbell and Harry Nichols. She first married Walter Good, theater manager, then Broughton Wilson.

Madeleine Fabre, 22, of the Comedie Francaise, died Feb. 13 of sleeping sickness at her home in Paris. Pupils of Leon Bernard, Mile. Fabre was a first prize in tragedy at the Conservatoire in 1933, and started at the Comedie Francaise the same December.

Emilie Lerou, 72, retired, tragedienne of the Comedie Francaise, died at her home in Paris. She started at the Comedie in 1880, retired from 1888 to 1892, and then played ten years more, still in tragedy.

Angela Papulis, 24, died at the Northwoods sanatorium, Saranac. Before entering the Northwoods she had been a guest patient at the N. A. san for three years.

Father, mother, two sisters survive.

Frederick C. Peters, 53, resident of Fort Wayne, Ind., and father of Charles and Raymond, died Feb. 23 at the University hospital, Ann Arbor, Mich., following an operation.

Mrs. Cecilia Reynolds Robertson, 65, one-time society editor of the Washington Post, died Feb. 20 in Hollywood. Surviving are Ralph Robertson, L. A. radio announcer, and another son.

Mrs. Anna Bahan, 84, mother of Mrs. Wm. McGowan, wife of William McGowan, former RKO Orpheum manager, died in Chicago Feb. 17.

Mother, 74, of Charles Irwin died in Ireland. She had been in ill health for some time.

Mother, 67, of Ray Tubman, manager of the RKO-Capitol Theatre, Ottawa, died last week.

## Exploitation

(Continued from page 29)

The original author's flashback to the original author and Peter. Sign is made with lettering out and covered with relative in the light of the sign. If not the sign shows the original lettering. But back of the sign is a loose frame, working in grooves and resting on the two wheels, which can be turned out by any mill or sawed on a jig saw if the theatre shop or the sign is not round, but shows a curve from a point just above the axle to a peak which raises the riding track to its highest point, at the height of the spacing between the lines. The peak ends abruptly, permitting the

frame to drop down on the low point for another raising.

Sliding frame is provided with a spring which will modify the original colors, as a blue behind the red, yielding purple. Can be all one sheet or assorted to suit. Various colors used on the face frame.

Wheel turns slowly, raising the frame and permitting it to drop back for the next trip. Helps to use a felt chair caster at the bottom of each side of the frame, to make the travel easier.

## Personal Press Stuff

One exhibitor lately, making the perennial kick about press stuff, remarked that he was ashamed to take the stuff over to the newspaper for publication and that he could do better himself. He was asked why he didn't do it and it was. So busy grousing about the stuff that he didn't stop to consider he did not have to use the clip stuff.

As a matter of fact there's almost always some good stuff in every press book, but with the home office men frequently getting to work on the book before they know much about it, it's not possible to turn out specific copy. It must be general and very often it does not fit the story as presented.

However, the real point is that the production press department cannot write to fit one particular paper, but must make out what it hopes will be generally acceptable. It cannot know that one particular editor will fall for animal stories, and it is not an easy mark for yarns about a particular player.

The local manager is in a position to spot these editorial weaknesses and cater to them. And it is not so difficult as it sounds to write good copy. The most editors will prefer to the longer ones. Any man who can write a decent letter can turn out a decent story that will get the copy reader if only he thinks he can.

Find out what the editor likes. Get him into conversation and draw him out, and then go back to the office and write that sort of stuff.

## S. P. Helps 'Folies'

Tieup has been made with the Southern Pacific Railroad company by exploiters of 'Folies Bergere,' said Maurice Chabert, general manager at the Southern Pacific offices, Fifth avenue and 44th street, is being used with stills from the Railroad company, in connection with the statement that the production was filmed on its line.

## 'Boys Will Be Girls'

(Continued from page 1)

viage taking on a deep purple when a colored lad came on for an interpretation of a Harlem butterfly.

In banning the show, however, Moss permitted it to finish its three-day date at the Circle, catching the show on Wednesday, the day after the ban was lifted. Miss Davis gave her special Thursday night-Godfrey and Lindner having gotten the letter Thursday morning.

Reason-Moss caught the show in the first place was when some city official wrote Moss a letter protesting the show's alleged immorality.

## New Orleans Ban

Night clubs in the French quarter of this city changed their style of entertainment following introduction this week of an ordinance by Mayor Walmsey. Banning the artistic troupe and other entertainers from appearing before the public while wearing garments other than those of their own sex. It also prohibits person, so garbed from mingling with the crowd in such places of entertainment.

Fines of \$20 to \$25, jail sentences of 10 to 30 days, or both, are provided for violators of the ordinance, persons in whose places of business such violations occur, and persons aiding and abetting such violations.

The ordinance followed complaints to District Attorney Eugene Stanley. His office is now superintending the police as well as the mayor, that such entertainment was 'detrimental to public morals and decency.' Mayor Walmsey then ordered the places to abandon such entertainers, on pain of losing their liquor licenses.

Eleven female impersonators picked up by police in a drive on the places were discharged by Recorder Hopper on their appearance before the court. They were having the honest means of support and being dangerous and suspicious characters. There was not enough evidence against them to justify the penalty, the recorder said.

## Albany Fight

(Continued from page 7)

would impose a fee of \$100 for the first 1,000 feet of each picture and \$2 for each additional 1,000 feet of film. \$20 for each additional print of a picture approved and licensed.

The other bill would require the censorship division to rate films in the \$20 or more class. Suitable for adults, suitable for family, and suitable for juveniles. The proposal is designed to give exhibitors a better opportunity to co-operate with the "clean film" movement. It would require exhibitors to co-operate with civic and religious organizations against the showing of films that offend morality or decency. It also would prescribe forms of contract between distributors and the theatres.

Licensing of exhibition of films would be required. No permit would be issued for films of more than \$500 or more than \$100 if sold if children are to be admitted. Each application would require a yearly fee of \$1,000 and a bond of \$50,000. It is provided that a license could be obtained on complaint against a licensee. Licenses could be revoked or suspended.

Violations by a distributor would be subject to a fine of not less than \$50 or more than \$500 or by imprisonment for not less than 30 or more than 90 days or by both fine and imprisonment.

Exhibitors violating the law would be faced with a fine of \$50 to \$500 or imprisonment for 10 to 30 days or by both and in addition his license would be suspended.

## Fight Against Bills

A tax will be placed on each seat in every theatre in the state would close theatres and create unemployment, speakers against the McCall tax and revised censorship bills declared at a hearing before Senate Education Committee this afternoon (Tuesday).

Charles L. O'Reilly, representing theatres of the state, and C. C. Pettijohn, speaking for film producers, both present at the hearing. The McCall proposals. Supporting them were speakers for State Federation of Labor, printers, bill-posters, lithographers, stagehands and projectionists' unions and representatives of owners of theatre properties. Newspapers of the state likewise had their opposition expressed.

Sen. McCall declined to announce in advance who would speak for the measures. As a matter of fact, not one person among speakers present spoke in favor of the theatre tax and censorship bills.

## Laemmle

(Continued from page 1)

control of U which have been recently. One of these offers is reported to have been made on behalf of the Warner brothers, personally through Reniaw, Inc., personally through Reniaw, Inc., personally through Reniaw, Inc. Another bid is mentioned as having been made by Fanchon & Marco.

In view of the early Laemmle's death on Saturday (23), it is indicated that offers to date have been altogether informal or merely exploration bids. It is known that Laemmle kayed the offer from C. A. Blumenthal, a few weeks ago. Blumenthal's bid apparently was in conjunction with a probable later understanding which might have been had with Herbert Croft, Comedian.

Among the offers there is also said to have been one from Albert Greenfield, Philadelphia realtor and former partner of William Fox. E. P. Schaubert has been mentioned as a bidder. Outside capital presumably was to have been linked. Meanwhile both Schulberg and Emanuel Cohen, recent Par studio executives, have been reported as possible studio execs at Universal. Warners, through Goldman-Sachs, traded for control of Universal some five years ago. But Laemmle would control the company. The Laemmle statement denying he would sell, as issued by Universal, reads in part:

"During the past two weeks I have been asked to deny four or five rumors of a change of control of Universal. I have refused to discuss these rumors because they were too ridiculous to countenance. Now, since rumors seem to be spreading, I wish to state that Universal employees and others who have been interested that these recent reports are utterly without foundation."





**Would you believe it, Little Colonel...  
YOU'RE BEATING "BRIGHT EYES" ALL ALONG THE LINE!**

**CENTURY, ROCHESTER: Outgrossing 'Bright Eyes' Xmas week engagement by 25 per cent. First five days beat entire 'Bright Eyes' week!**

**RKO PALACE, ALBANY: By far biggest opening of any Fox picture this season.**

**KEITH'S DAYTON: 50 per cent bigger opening than 'Bright Eyes.'**

**FOX, PHILADELPHIA: Opening 2 days biggest of season...practically equal 4 days of 'Bright Eyes' (including Xmas!)**

**PARAMOUNT, PORTLAND: Running neck-and-neck with sensational 'Bright Eyes' engagement.**

**FOX, ST. LOUIS: Opening day beats 'Bright Eyes' record-holding Xmas Day.**

**STATE, RICHMOND: Far ahead of 'Bright Eyes' which played larger-capacity house. Management looks to at least 3-week run.**

**SHIRLEY TEMPLE  
LIONEL BARRYMORE**

*in*

***The* LITTLE COLONEL**

*A B. G. DeSylva Production with*

**EVELYN VENABLE • JOHN LODGE  
and BILL ROBINSON**

*Directed by David Butler*

*Screen play and adaptation by William Conselman*

*Based on the story by Annie Fellows Johnston*



**-AND THEY'RE PLANNING HOLD-OVERS *everywhere***

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